



# The Journal OF THE House of Representatives

Number 1

Tuesday, March 3, 1998

Journal of the House of Representatives for the 100th Regular Session since Statehood in 1845, convened under the Constitution of 1968, begun and held at the Capitol in the City of Tallahassee in the State of Florida on Tuesday, March 3, 1998, being the day fixed by the Constitution for the purpose.

This being the day fixed by the Constitution for the convening of the Legislature, the Members of the House of Representatives met in the Chamber at 10:20 a.m. for the beginning of the 100th Regular Session and were called to order by the Speaker, the Honorable Daniel Webster.

## Prayer

The following prayer was offered by the Reverend Elwood "Red" Jeffries, Associate Pastor of First Baptist Church of Central Florida, Orlando:

Heavenly Father, we come to you on this very special occasion to seek your divine guidance and blessings.

We come with thanksgiving that we can assemble as free people in these chambers of government, where these servants of the people of Florida can use their talents and abilities to seek ways and means whereby we all may benefit as we all strive to live in peace and harmony.

Father, I ask that you would grant them success as they seek to accomplish what is right and equitable for our people. May each one earnestly seek your perfect wisdom and receive your manifold avenues of grace. And may all of us truly seek to bring hope to the despairing and joy to the sad. I praise you, Father, for the blessings which you shower upon us.

Make us more worthy, Lord, of thy great love. And, Father, give protection and thy watch-care to the families and to the loved ones of these who labor here, in order that they would not be distracted in any way from fully engaging in the work to which they've been called here to do. I ask these favors and petitions in Christ's name. Amen.

The following Members were recorded present:

The Chair	Bradley	Constantine	Fasano
Albright	Brennan	Cosgrove	Feeney
Andrews	Bronson	Crady	Fischer
Argenziano	Brooks	Crist	Flanagan
Arnall	Brown	Crow	Frankel
Arnold	Bullard	Culp	Fuller
Bainter	Burroughs	Dawson-White	Futch
Ball	Bush	Dennis	Garcia
Barreiro	Byrd	Diaz de la Portilla	Gay
Betancourt	Carlton	Dockery	Goode
Bitner	Casey	Edwards	Greene
Bloom	Chestnut	Effman	Hafner
Boyd	Clemons	Eggleton	Harrington

Healey	Mackey	Reddick	Sublette
Heyman	Maygarden	Ritchie	Tamargo
Hill	Meek	Ritter	Thrasher
Horan	Melvin	Roberts-Burke	Tobin
Jacobs	Merchant	Rodriguez-Chomat	Trovillion
Jones	Miller	Rojas	Turnbull
Kelly	Minton	Safley	Valdes
King	Morrone	Sanderson	Villalobos
Kosmas	Morse	Saunders	Wallace
Lacasa	Murman	Semler	Warner
Lawson	Ogles	Silver	Wasserman Schultz
Lippman	Peaden	Sindler	Westbrook
Littlefield	Posey	Smith	Wiles
Livingston	Prewitt, D.	Spratt	Wise
Logan	Pruitt, K.	Stabins	Ziebarth
Lynn	Putnam	Stafford	
Mackenzie	Rayson	Starks	

A quorum was present.

## Pledge

The Members pledged allegiance to the Flag, led by Steven Bowers, Seminole Tribe Vietnam Veterans Color Guard; Paul Bowers, Seminole Tribe Vietnam Veterans Color Guard; Mitchell Cypress, Seminole Tribe Vietnam Veterans Color Guard; David Billie, Seminole Tribe Vietnam Veterans Color Guard; Carlos Rainwater, Seminole Tribe Vietnam Veterans Color Guard; Bill Seemann, American Legion; John McCormack, Reserve Officers Association; Ed Kaminski, Veterans of Foreign Wars; Frank Roycraft, Marine Corps League; James Burke, Marine Corps League; Gus Daniels, Marine Corps League; Ralph Salvas, Marine Corps League; Ricky Lay, Marine Corps League; Barbara Turner, WAVES; Kathy Hall, WAVES; Robert Melcher, Disabled American Veterans; Richard Giese, Disabled American Veterans; Chuck Cuthbertson, Non-Commissioned Officers Association; Dennis Kohler, Florida Vietnam Veterans Assistance Foundation; Charlie Price, Vietnam Veterans of America; David McMichael, Vietnam Veterans of America; John Tatro, Paralyzed Veterans of America; Shirley Jones, Air Force Association; and Col. Parascho Ballas, U.S. Air Force, retired.

## House Physician

The Speaker introduced the Honorable Durell Peaden, Jr., M.D., who served as Doctor of the Day.

**Presentation of Former Speakers**

The Speaker presented the following former Speakers who were present today at his invitation: the Honorable Mallory E. Horne, the Honorable Ralph D. Turlington, the Honorable James Harold Thompson, the Honorable Bolley L. "Bo" Johnson, the Honorable H. Lee Moffitt, the Honorable Peter R. Wallace, the Honorable T. Terrell Sessums, the Honorable Ralph H. Haben, Jr., the Honorable Jon L. Mills, and the Honorable Doyle E. Conner.

**Presentation of Former Republican Leaders**

The Speaker presented the following former Republican Leaders who were present today at his invitation: the Honorable Ronald R. "Ron" Richmond, the Honorable R. Dale Patchett, the Honorable S. Curtis "Curt" Kiser, and the Honorable Jim K. Tillman.

**Presentation of Congressman**

The Speaker presented the Honorable Mark A. Foley, U.S. Congressman from the 16th District.

**Committee from the Senate**

A committee from the Senate consisting of Senators Silver, Campbell, Clary, Cowin, Klein, and Lee advanced to the well and announced that the Senate was convened and ready to transact business.

**Correction of the Journal**

The *Journal* of November 7, 1997, Special Session "A," was corrected and approved as corrected.

**Communications**

Governor Lawton Chiles advised that he desired to address the Legislature in Joint Session today.

**Certificate of Judicial Manpower**

The following Certificate of Judicial Manpower was received:

No. 92,389

In Re: CERTIFICATION OF THE NEED FOR ADDITIONAL JUDGES

[February 20, 1998]

KOGAN, C.J.

Under the provisions of article V, section 9 of the Florida Constitution, the Supreme Court of Florida is responsible for certifying its findings and recommendations concerning the need for increasing or decreasing the number of judges required to consider cases filed before the respective courts. We appreciate the fiscal ramifications of certifying the need for new judges and have adopted a policy of doing so only when we are certain that such a need exists. To this end, we have analyzed case filings and evaluated the growth in judicial workload over the past several years. Our analysis has included consideration of a variety of supplemental data related to workload as well. These data and the requests of the various circuit and district courts are being made available to the Legislature through the Office of the State Courts Administrator.

After carefully reviewing requests for a total of 31 new judges, we hereby certify the need for 13 additional circuit judges, 5 additional county judges, and no additional appellate judges, for a total of 18 new judicial positions. A comparison of the requests for new judges filed by the respective courts and the new judges certified as needed for Fiscal Year 1998-99 follows:<sup>1</sup>

Circuit	Circuit Court		County	County Court	
	Request	Certified		Request	Certified
Second			Leon	1	1
Third	1	1			
Fourth	1	1	Duval	1	1

Circuit	Circuit Court		County	County Court	
	Request	Certified		Request	Certified
Sixth	2	2			
Seventh			Putnam	1	
Ninth	2	1			
Tenth	1	1	Polk	2	1
Eleventh	3				
Twelfth	1	1	Sarasota	1	
Thirteenth	2	1	Hillsborough	2	1
Fifteenth	1		Palm Beach	1	
Seventeenth	2	2	Broward	1	1
Eighteenth	1	1	Brevard	1	
Nineteenth	1	1	Martin	1	
Twentieth	<u>1</u>	<u>1</u>			
Totals	19	13	Totals	12	5

<sup>1</sup>The district courts of appeal did not request additional judges and are not included. Circuit and county courts that did not request additional judges are not included.

This certification is dependent upon receipt of the increase in resources requested in the Fiscal Year 1998-99 Legislative Budget Request for the State Courts System.

The criteria for certification of the need for additional judges in the district courts of appeal are set forth in rule 2.035(b)(2), Florida Rules of Judicial Administration. The Court did not receive any requests for additional judges from the five district courts of appeal. The last new judgeships for the district courts were authorized in 1993. Since that time the numbers of annual filings in each district court have risen steadily. It is forecast that a total of 23,523 cases will be filed in the district courts in 1998, a greater than 27 percent increase since 1993.

The district courts have each addressed increased workload pressures through various means. They have improved internal operating procedures, established central legal research staff to handle selected matters, and assigned senior (retired) judges to hear appeals on a temporary basis. The First District Court of Appeal continues to utilize an appellate pre-briefing conference program combining both mediation and case management, as well as two specialized divisions to handle general and administrative cases respectively. We encourage the district courts to continue to explore and develop alternative and creative means to efficiently and fairly hear the cases brought before them. Such efforts have enabled the district courts to address increases in judicial workload without the continued addition of new appellate judges.

Last year, this Court directed the Judicial Management Council to conduct an in-depth study of workload, jurisdiction and related policy issues for the district courts of appeal. The Council's Committee on Appellate Court Workload and Jurisdiction completed its work in this regard and its report was considered by the full Council in October 1997. Among other recommendations, the Council advised this Court to adopt a new appellate court workload standard of 225 dispositions after submission on the merits per judge and an additional appellate court workload standard of 385 case filings per judge. These standards are significantly higher than the current standard of 250 case filings per judge. These standards reflect the infusion of staff support and other resources over the last decade which have enabled the district courts to keep up with workload increases. The two standards, whether considered separately or together, represent the level at which a district court, presumptively, is in need of additional judicial resources. It is projected that in 1998 the statewide averages for dispositions on the merits per judge and filings per judge will be 209 and 385 respectively.

The Judicial Management Council also considered alternatives to balance workload among the district courts, including redrawing the boundaries of the current districts and creating one or more new districts. The Council recommended that a newly constituted committee consider specific alternatives for additional district courts of appeal. It is our judgment that the certification of additional judges can be

withheld until the work of this committee is concluded, prior to the 1999 Legislative Session.

For the foregoing reasons we are, once again, not certifying the need for any additional district court of appeal judgeships. However, we strongly urge the Legislature to fund the budget requests of the district courts of appeal for mediation services, additional senior (retired) judge days, central legal staff attorneys, and computer technology. Funds for the computer upgrade are important, because they will assure that all the appellate courts are year 2000 compliant.

The criteria for certification of the need for judges in trial courts are set forth in rule 2.035(b)(1), Florida Rules of Judicial Administration. Consistent with previous practice, we have placed the greatest weight on quantitative data reflecting the growth and composition of caseloads in the various circuits and counties. We have determined that the most consistent and reliable measure of workload at the trial court level is total case filings per judge. Courts near or above a threshold of 1,865 filings per judge are presumed to be working beyond capacity, though that data alone is not sufficient to either guarantee or preclude a certification of need.

In addition to filings data, other quantitative and qualitative data on factors described in rule 2.035(b)(1)(B), Florida Rules of Judicial Administration, were considered. These criteria include county judge service on the circuit bench, the availability and use of senior (retired) judges, the availability and use of supplemental hearing officers, the use of alternative dispute resolution, the number of jury trials, the number of hearings involving foreign language interpretations, the geographic size of a circuit, special law enforcement activities, the availability and use of case-related support staff and case management policies and practices, the nature and complexity of cases, and caseload trends. This supplemental information was extremely useful in evaluating the requests of the various trial courts.

After reviewing these factors, we find it necessary to certify the need for 13 additional circuit court judges for Fiscal Year 1998-99, as follows: one additional circuit court judge each for the Third, Fourth, Ninth, Tenth, Twelfth, Thirteenth, Eighteenth, Nineteenth and Twentieth judicial circuits; and two additional circuit court judges each for the Sixth and Seventeenth judicial circuits.

The overall workload of Florida's circuit courts continues to grow at a steady rate. From actual 1993 data through forecasted 1998 data, total filings are projected to increase fourteen percent. Not only are circuit court filings increasing, but also the collective perception of the trial court bench is that many categories of cases being filed are more labor-intensive than in previous years. Changes in the statutes, case law, and court procedures in recent years have necessitated more hearings for various types of cases, mandated priority handling for certain matters, and required judges to render written findings of fact and conclusions of law more frequently. Often these changes cannot be measured in terms of a need for full-time judicial positions in a particular jurisdiction, but instead serve to gradually increase workload across the board.

In formulating their requests, the circuit courts stressed the significant workload impact of reopened cases, variations in the complexity of caseloads, the severity of criminal offenses in their jurisdictions, more numerous and lengthy jury trials, and dramatic increases in self-represented litigants. We gave careful consideration to all such factors in establishing the necessity for additional judgeships not only for courts near or above the threshold, but also for courts which are somewhat below the standard as well. Seven of the courts for which we are currently certifying a need for an additional circuit court judge or judges are forecast to exceed the 1,865 filings per judge threshold in 1998, including the Sixth and Seventeenth judicial circuits, for which we have certified the need for two additional circuit court judgeships. We also certify the need for one additional circuit court judge each to the Fourth, Thirteenth, Eighteenth, and Nineteenth judicial circuits, which are expected to have 1998 workloads slightly below the threshold.

Although we recognize that other circuits which requested judgeships are faced with mounting workload pressures, we continue to limit the number of new judges certified for the circuits and supplement the

available judicial resources with senior (retired) judges. We also encourage such circuits to maximize the use of county court judges on temporary assignment to the circuit bench where possible. In addition to the effective and cost-efficient use of senior (retired) judges, trial courts have employed an array of resources and case management strategies including: differentiated case management to consolidate and expedite certain types of cases; the use of general or special masters, child support enforcement hearing officers, and traffic hearing officers; court-ordered mediation or arbitration of family, civil, and selected juvenile matters; and the assignment of trial court law clerks to assist with case reviews, case management, and legal research. This Court encourages the continued use of these alternatives.

One particular alternative, supplemental hearing officers, has received much attention as of late. Child support enforcement hearing officers were authorized from state funds by the 1997 Legislature, a first for Florida's trial courts. This was in response to projected workload increases expected from a new child support enforcement initiative by the Florida Department of Revenue. Studies conducted under the auspices of the Court Statistics and Workload Committee indicate that supplemental hearing officer positions such as these do not generally translate to the equivalent of circuit or county court judges, with the possible exception of traffic hearing officers. Supplemental hearing officers, particularly at the circuit court level, provide predominantly qualitative improvements in court services to litigants. For example, they allow more time to be allocated to each case than busy judicial schedules will often allow. They also streamline the court process for litigants and allow judges to make better use of their time. However, supplemental hearing officers are difficult to allocate on a statewide basis due to the varied use of, and acceptance for, these staff at the local level. Many judicial matters require the attention of circuit court judges either by rule, statute, custom, or public expectation. While supplemental hearing officers may be an appropriate response to some increases in judicial workload, they are only one of a spectrum of resources that may be applied as the situation demands or is determined by this Court to be appropriate.

As in the circuit courts, caseloads in Florida's county courts continue to increase at a steady rate. County court case filings, not including those categories traditionally excluded from the certification calculus such as worthless checks and civil traffic case filings, increased eight percent from 1994 to 1996. This increase is attributable to growth in both criminal and civil case filings. We considered this increase in evaluating the need for additional county judges. We relied principally on case filings data that were adjusted to include only criminal, civil, driving under the influence, and other criminal traffic cases. As in the past, worthless check cases and civil traffic infractions were not included in the threshold. This is due to the volume of such cases, their limited requirements for judicial attention per case, diversion of large numbers of worthless check cases in selected circuits, and variability in numbers of such cases reported from county to county.

County courts with caseload forecasts at or exceeding 6,114 filings per judge are presumed to be operating at or above capacity. All of the counties for which we certify the need for an additional judge are projected to exceed the 6,114 threshold in 1998. We find it necessary to certify the need for five new county court judges for Fiscal Year 1998-99, one each for Leon, Duval, Polk, Hillsborough, and Broward counties. As with the circuit court judgeships, the decision not to certify the need for an additional county court judge in several counties at or near the threshold was difficult. Such county courts are realizing growing workload pressures and may require relief during the upcoming year. We are committed to providing additional senior (retired) judge days and working with the respective chief judges on other measures to provide relief in those county courts. Their need for additional county court judgeships will be reexamined closely in next year's certification process.

This Court is of the opinion that the serial addition of circuit and county court judges will not in and of itself ensure the increased efficiency and performance of the Florida State Courts System that are expected by the public. We will continue to rely heavily on the allocation of alternative resources as stated in our Fiscal Year 1998-99 Legislative

Budget Request for additional senior (retired) judge days, law clerks, automation and other technology, and specialized case management programs.

Full funding of the requests certified in this opinion is absolutely essential if Florida's courts are to fulfill their constitutional mandate to resolve cases in a fair, impartial, and timely manner. Therefore, this Court encourages the Florida Legislature to authorize the judgeships certified herein, effective October 1, 1998.

It is so ordered.

OVERTON, SHAW, HARDING, WELLS, ANSTEAD and PARIENTE, J.J., concur.

Original Proceeding - Certification of Need for Additional Judges

#### Resignations

Rep. Laurent of the 66th District resigned effective March 2, 1998, so that he might run in the special election for Senate District 17.

Pursuant to Article III, Section 15 of the Florida Constitution, a special election was called by executive order. The first special primary was held on February 10, 1998; the second special primary on February 24, 1998; and the special general election will be held on March 10, 1998.

Rep. Geller of the 101st District resigned effective 11:59 p.m. on March 16, 1998, so that he might run in the special election for Senate District 29.

Pursuant to Article III, Section 15 of the Florida Constitution, a special election was called by executive order. The first special primary was held on February 17, 1998; the second special primary on March 3, 1998; and the special general election will be held on March 17, 1998.

#### Committee Assignments

The Speaker advised that he had made the following committee appointments:

Rep. Andrews	Education Appropriations
Rep. Bronson	Tourism
Rep. Brooks	Health & Human Services Appropriations
Rep. Byrd	Finance & Taxation
Rep. Carlton	Colleges & Universities
Rep. Dockery	Environmental Protection
Rep. Eggelletion	Environmental Protection
Rep. Frankel	Children & Family Empowerment
Rep. Fuller	Transportation & Economic Development Appropriations
Rep. Greene	Community Colleges & Career Prep
Rep. Kelly	Health Care Standards & Regulatory Reform
Rep. Lacasa	Education Innovation, Health & Human Services Appropriations
Rep. Maygarden	Utilities & Communications
Rep. Murman	Business Development & International Trade, Finance & Taxation, Juvenile Justice
Rep. Peaden	General Government Appropriations
Rep. Putnam	Finance & Taxation
Rep. Roberts-Burke	Law Enforcement & Public Safety
Rep. Tamargo	Community Affairs, Finance & Taxation, Health Care Services, Financial Services, Vice Chair of Law Enforcement & Public Safety
Rep. Westbrook	Transportation
Rep. Wise	Education Appropriations

The Speaker advised that he had removed Members from committees as follows:

Rep. Brooks	Joint Legislative Auditing
Rep. Kelly	Elder Affairs & Long Term Care
Rep. Lacasa	Finance & Taxation, Environmental Protection
Rep. Laurent	Finance & Taxation
Rep. Maygarden	Financial Services
Rep. Thrasher	Elder Affairs & Long Term Care
Rep. Villalobos	Colleges & Universities
Rep. Wise	Health & Human Services Appropriations

#### Carried-Over Bills Withdrawn from Further Consideration

Pursuant to Rule 96(b) and a motion made by Rep. Thrasher and agreed to on May 2, 1997, the following bills were withdrawn from further consideration of the House during the interim: CS/HB 17; HB 21; CS/HB 31; CS/HB 49; HBs 77 and 79; CS/HB 87; HBs 89 and 101; CS/HB 133; HB 143; CS/HB 149; CS/HB 151; HBs 155, 167, and 173; CS/HB 179; CS/HB 183; HBs 203 and 211; CS/HB 215; HB 235; CS/HB 265; HB 277; CS/HJR 289; HJR 293; CS/HB 311; HBs 317 and 323; CS/HB 331; HBs 343 and 345; CS/HB 365; HB 389; CS/HB 393; HBs 405 and 413; CS/HB 415; CS/CS/HJR 437; HBs 465, 503, and 511; CS/HB 523; CS/HB 533; CS/HBs 543 & 607; CS/HB 545; HB 557; CS/CS/HB 559; HBs 561, 581, 609, 629, and 631; HJR 633; HB 647; CS/HB 657; CS/HB 673; CS/HB 675; HB 677; CS/CS/HB 695; HBs 699 and 711; CS/HB 717; HBs 721, 739, 745, 751, and 771; CS/HB 779; HB 785; HJR 789; HBs 799, 809, 811, and 817; HJR 843; HB 849; CS/HB 857; HBs 859, 883, 893, 897, 903, 913, 919, 923, and 925; CS/HB 933; HB 963; CS/HB 965; HBs 973 and 975; CS/HB 981; HJR 999; CS/HB 1027; CS/HB 1033; HBs 1037 and 1043; CS/HB 1047; HBs 1051, 1057, 1065, 1085, 1109, 1131, 1133, 1141, 1153, and 1171; CS/HB 1177; HBs 1187, 1189, and 1191; CS/HB 1195; HBs 1203, 1209, 1217, 1221, 1229, and 1233; CS/HB 1237; CS/CS/HB 1299; HB 1301; CS/HB 1327; HB 1343; CS/HB 1347; HBs 1349, 1375, and 1379; CS/HB 1387; HBs 1393, 1395, 1399, 1405, and 1415; HJR 1417; HB 1427; CS/HB 1435; HB 1441; CS/HB 1445; HJR 1449; HB 1463; CS/HB 1485; CS/HBs 1489 & 1171; HBs 1493, 1497, 1499, and 1501; CS/HB 1505; HBs 1527, 1531, 1535, 1539, 1551, and 1559; CS/HB 1563; HB 1571; CS/HB 1593; HBs 1595, 1607, 1633, and 1635; CS/HB 1643; HBs 1645, 1647, 1651, 1655, 1661, 1669, 1671, 1679, 1687, 1695, 1721, 1733, 1737, 1761, 1763, 1789, 1791, 1801, 1807, 1857, 1859, 1865, 1869, 1879, 1885, 1891, 1897, 1905, and 1915; HM 1927; HBs 1941, 1943, 1947, 1951, 1971, 1973, 1975, 1977, 1981, 2009, 2015, 2017, 2039, 2043, 2103, 2123, and 2139; and HRs 9097 and 9117.

#### Carried-Over Bills Laid on the Table

Pursuant to a motion made by Rep. Thrasher and agreed to on May 2, 1997, the following bills, whose Senate companions passed the Legislature during the 1997 Regular Session, were laid on the table during the interim: HB 305; CS/HB 357; HB 459; CS/HB 535; HBs 565, 801, 875, 953, and 1009; CS/CS/HBs 1067 & 955; HBs 1113, 1115, 1147, 1161, 1211, 1353, 1451, and 1487; CS/HB 1557; and HBs 1681, 1863, 1993, and 1995.

#### Introduction of House Concurrent Resolution

On motion by Rep. Thrasher, the rules were suspended for introduction and consideration of a concurrent resolution.

By Representatives Thrasher and Crady—

**HCR 1-Orig**—A concurrent resolution providing that the House of Representatives and Senate convene in Joint Session for the purpose of receiving a message from the Governor.

WHEREAS, His Excellency, Governor Lawton Chiles, has expressed a desire to address the Legislature in Joint Session, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That the House of Representatives and the Senate convene in Joint Session in the Chamber of the House of Representatives at 11:00 a.m. this day, March 3, 1998, for the purpose of receiving the message of the Governor.

—was read the first time by title. On motion by Rep. Thrasher, the rules were suspended and the concurrent resolution was read the second time by title and adopted. Under the rule, the concurrent resolution was immediately certified to the Senate.

#### Committee to the Senate

On motion by Rep. Crow, the Speaker appointed Reps. Kelly, Flanagan, Dockery, Lippman, Dawson-White, Boyd, and Sembler as a

committee to notify the Senate that the House was convened and ready to transact business. The committee was excused to perform its assignment.

### Messages from the Senate

*The Honorable Daniel Webster, Speaker*

I am directed to inform the House of Representatives that the Senate has adopted HCR 1-Org.

*Faye W. Blanton, Secretary*

The above concurrent resolution was ordered enrolled.

### Recessed

The House stood in informal recess at 10:42 a.m., to reconvene at 11:00 a.m.

### Reconvened

The House reconvened at 11:00 a.m. A quorum was present.

### JOINT SESSION

Pursuant to HCR 1-Org., the Members of the Senate, escorted by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House, were seated in the Chamber. The President and President pro tempore joined the Speaker and Speaker pro tempore at the rostrum. The Secretary joined the Clerk at the front desk.

### Arrival of Lieutenant Governor and Cabinet

The Honorable Kenneth H. "Buddy" MacKay, Jr., Lieutenant Governor; the Honorable Sandra B. Mortham, Secretary of State; the Honorable Robert A. Butterworth, Attorney General; the Honorable Robert F. Milligan, Comptroller; the Honorable C. William "Bill" Nelson, Treasurer and Commissioner of Insurance; the Honorable Robert B. Crawford, Commissioner of Agriculture; and the Honorable Frank Brogan, Commissioner of Education, constituting the Cabinet, were escorted into the Chamber by the Sergeant at Arms of the House and seated.

### Arrival of Supreme Court

Chief Justice Gerald Kogan, Justice Ben F. Overton, Justice Leander J. Shaw, Jr., Justice Major B. Harding, Justice Charles T. Wells, Justice Harry Lee Anstead, and Justice Barbara J. Pariente, constituting the Supreme Court, were escorted into the Chamber by the Sergeant at Arms of the Senate and seated.

The Speaker presented the gavel to Toni Jennings, President of the Senate, asking her to preside over the Joint Session.

### THE PRESIDENT OF THE SENATE PRESIDING

A quorum of the Joint Session was declared present.

### Prayer

The following prayer was offered by the Reverend R. B. Holmes of Bethel Missionary Baptist Church of Tallahassee:

Our Father, we're here today to say thank you. For the presence of your Holy Spirit, we say thank you. For the great elected officials of this great State of Florida, we say thank you. For brotherhood and sisterhood love, we say thank you.

Heavenly Father, please bless this body with your spirit: the spirit of love, the spirit of peace, and the spirit of unity.

Bless our elected officials, individually and collectively; bless their families; bless their folks; and give them a vision to lead us into the 21st century. In your most holy name, we pray. Amen.

### Pledge

The Members of the Joint Session, led by Grace Williams, Florida Teacher of the Year 1997-1998, of North Shore Elementary School of Jacksonville, pledged allegiance to the Flag.

### Committee to the Governor

On motion by Rep. Byrd, the President appointed Senators Bankhead, Casas, Hargrett, Scott, and Thomas, and on behalf of the Speaker, appointed Reps. Jones, Dennis, Minton, Murman, Healey, Ogles, and K. Pruitt as a joint committee to notify the Governor that the Legislature had assembled to receive his message. The committee retired to execute its responsibility.

The Joint Session stood at ease, awaiting the arrival of the Governor.

### Presentation of the Governor

Upon announcement by the Senate Sergeant at Arms, the committee escorted Governor Chiles to the rostrum.

President Jennings introduced Mrs. Rhea Chiles, wife of Governor Chiles. President Jennings presented the Honorable Lawton M. Chiles, Jr., Governor, who addressed the Joint Session as follows:

### Governor's Address

Thank you. [applause] Thank you very much. [applause] You are very kind. [applause] Thank you. [applause] Thank you very much. President Jennings, Speaker Webster, distinguished members of the Supreme Court, my partner and my friend, Lieutenant Governor MacKay, [applause] members of the Cabinet, [applause] members of the Senate and the House of Representatives, and my fellow Floridians.

Last week, the worst string of tornadoes ever to hit Florida slashed across our state with winds up to 210 miles an hour. The mayor of Kissimmee told me of the outpouring of help that he received from his neighbors, from people all around. He said it just made him want to weep—the tremendous support that they received. He was also appreciative of the response of our state emergency people and of FEMA.

I want to express all of our concerns for those who suffered losses in the storm. I want to thank all of the people and businesses who have given so much of themselves to help others in need.

You and I, I think, know that our people now that work in emergency preparedness and all of the county people—they are the best in the nation right now. [applause] And since Hurricane Andrew, FEMA, under James Lee Witt, has reinvented itself. FEMA makes a tremendous contribution to our communities now when disaster strikes.

Today, I am happy to report to you that the state of the State looks very strong. Our jobs are up; our unemployment is down; crime is down; we're preserving our fragile ecosystems, including the jewel of our crown, the Florida Everglades. We've begun to build an economic foundation for this state. Wall Street has recognized this; Florida now has the highest bond rating in our history: double-A plus. You and I created Enterprise Florida and our tourism partnership Visit Florida. These public/private partnerships have become our engine for creating jobs. They've been road tested, and they are hitting on all cylinders.

Florida is creating jobs faster than any state in the nation. Last year was the best year ever for our tourism. International trade is growing by double digits each year—now valued at over 63 billion dollars a year. We've got to continue to give these partnerships the tools they need to keep the job going.

We've cut our welfare caseload by nearly half. And participants who go to work can keep part of their cash grant. They can receive two years transitional child care; they can receive extra education and training after they go back to work. So what we've done is we've now changed the incentives, and we've placed them on the side of work, no longer on the side of welfare dependency. The one fact, though, that we've got to remember: the more successful we are, the harder the job is going to become, because the families that are remaining on welfare are going to

need more intensive services to move from welfare to work. We have to continue to take the savings and to keep that money and realize—to continue to take those savings from the declining welfare rolls and invest them in the child care and the support services and the special job training that these families are going to need.

Our business-oriented WAGES board and 24 community-based WAGES coalitions are a great example of our partnering with the public [sic] and the local sectors.

Education. We are all aware of the tremendous importance of education and the role that education has to play to provide Florida with the skilled work force that we need for the next century. The Governor's Commission on Education, on which a number of you serve with other Florida leaders, is addressing these very important areas. Last year the Commission sounded the alarm about school overcrowding. The public responded, and we witnessed an outpouring of concern during our special session. Many predicted that we'd get nowhere. But we came together to curb school overcrowding, and as your Governor, I want to say to each of you—thank you very much. It was an outstanding job that we did. [applause] Mr. Speaker, Madam President, I especially thank you for your cooperation.

The Education Commission recognized the merits of Blueprint 2000—that's our comprehensive school improvement and accountability system—and that we've adopted world-class standards for our students—our Sunshine State standards. Our schools are improving. The list of critically low schools has dropped from 158 to 30 since 1995. And Commissioner Brogan deserves credit for his leadership in this area. [applause]

However, the members of the study commission raise a very, very important question, What happens when the Florida Comprehensive Assessment Test scores become binding and we are faced with holding students back; telling students they are not going to graduate? Will we hold fast or will we retreat? To hold fast, we're going to have to provide teachers and students with the support tools that they need, and we need to commit ourselves to provide this remedial help now—before the crunch.

Our colleges and universities need to change their curriculum to produce teachers prepared for today's challenges, and we have to retrain many of our current teachers. We also should recognize and reward top-quality teachers, encourage more teachers to receive national certification, and pay them better when they receive it. [applause]

During the special session last fall, you provided 250 dollars for every teacher in Florida. That money will help pay for the paper and classroom supplies that we all know too often came out of their pocket. That was a good idea. We also need to continue to fund the books and materials. This year we should provide an additional 24.5 million dollars to fully fund this item.

For today's kids, a computer is vital to their learning. The Internet is the gateway to a whole universe of knowledge. And this morning, Florida school children are watching us live on the Internet, and later today, Buddy and I will talk to some kids on the World Wide Web.

Kids, I'm glad you're tuning in. There is a lot going on here and it is going to affect you, and your families, and your schools. I'm really hoping that this session is going to be dedicated to you.

The bad news is only a quarter of our classrooms have access to the Internet. We have increased funding for classroom technology by 43 percent over the last two years, but this year we have to continue that work.

A kid that's sick can't learn. Yet Florida today ranks 48th in student-to-school nurse ratio. If it wasn't for Louisiana and Mississippi, we'd be dead last. When a child has a medical problem, often there's no one in the school you can turn to. Many times they call Mom. Mom has to leave her job, and come get the child, and take the child home. Sometimes that endangers Mom's job. Many times, it's not warranted. When we were growing up, most schools had a nurse. They were there for minor scrapes or major emergencies. Much has changed, but for schools, nurses are

still necessary. Let's provide our school children with more nurses. [applause]

Florida still does not provide higher education opportunities to enough of our Florida kids. This year we need to increase that number. It's fair to ask parents to pay 25 percent of the tuition if we provide sufficient need-based scholarships. Let's keep the doors of our higher education open for all of our kids, and let's also work to keep Florida's merit scholars in Florida's universities. [applause]

The most compelling product of the Education Commission is the Readiness Committee's report. It was adopted unanimously by the full commission. I'm sending each of you a copy, and I'm also sending you a copy of a speech delivered at the 1998 Children's Summit by the chair of the Readiness Committee, David Lawrence, publisher of *The Miami Herald*. I really urge you to read these meaningful comments. They show that readiness—kids zero to five, their readiness—is Florida's Achilles heel. This session, we can make a major stride to improve readiness by addressing child care and health care for our children. [applause]

Balancing the needs of work and raising children is an everyday challenge for many of our state's families. And last year, you provided child care for our WAGES moms. But there are thousands of working moms who have not gone on welfare but can't afford child care. They toughed it out. Let's use some of our WAGES savings to provide child care for 26,000 of these working moms' kids.

There are two other steps that we can take to improve the quality of child care. First, we should require a background check of every child care provider that receives state funds. We must ensure that our kids are safe. Second, we should increase the number of Gold Seal child care centers in Florida. This good program that you've created assures parents that their children are in a truly quality center. To date, there are 550 Gold care centers. Now let's increase that number by another 300.

This year we have a very unprecedented opportunity to provide health care coverage to our infants, preschoolers, and our students. Using new federal funds plus some of our tobacco victory dollars, we can provide health insurance for 300,000 Florida kids. [applause] That's 10,000 classrooms full of kids.

Now health care for those children comes only at the emergency room. This morning, I was escorted into the Chamber by some of the newest members of Florida's Healthy Kid programs. Nine-year-old Amanda Anderson is a third grader at Chaires Elementary. She had a serious heart condition that required open-heart surgery days after her birth. Luckily, at the time, her family had health insurance. But Amanda's mama lost her husband and the family health insurance. On Sunday, Amanda became one of Leon County's first enrollees in Healthy Kids. [applause] With your help, more children like Amanda will receive the coverage they need to stay healthy and to do better in school. We know kids in every school district should have this chance. And I want to thank Representative Albright and Senator Myers for the work that your committees are doing to bring this about.

We're able to afford this children's health care plan, in part, because of our victory against Big Tobacco. The fight was for our children. When we brought the nation's strongest lawsuit against the cigarette makers, the odds were against us because tobacco had never paid a dime to anyone. We won an historic settlement.

Today, there are no longer any tobacco billboards or transit ads in Florida. No Joe Camel, no Marlboro Man, or Virginia Slims model looking down at our kids. And we won 11.3 billion dollars over the first 25 years. [applause] Four hundred nineteen million dollars is now in the state treasury. The settlement earmarked 200 million dollars for an antismoking campaign to protect our kids from years of aggressive and deceptive advertising.

Big Tobacco spends more than 14 million dollars every day selling its products. So by the time a kid turns 14, they've already been exposed to over 20 billion dollars in tobacco advertising, and for years we've done nothing to counter this. Unless we act, we know that 300,000 of Florida's

children will one day die of a tobacco-related disease. If we could reduce youth tobacco use by one percent, we'd save 10,000 of Florida's children.

Only a substantial program can succeed. An under-funded program is doomed to failure, and that plays directly into the hands of Big Tobacco. Let's fund this program the right way, not halfway. Our kids' lives are at stake. [applause]

We have held meetings with local antismoking coalitions. We have selected an advertising team. And on March 29th, 500 teens from all over Florida are going to come together at Haines City to plan our attack against tobacco. Teens know best how to talk to teens. And since the day of the settlement, we've been letting them advise us on what we should do. Florida's the first state to give teens a major role in the fight against tobacco. And from what I've seen, Big Tobacco is in for a big surprise.

There's another thing we can do to free our people from the dangers of smoking. A few years ago, we extended Florida's Clean Indoor Air Act to ensure public areas are smoke-free. But today, the Act represents the most a community can do to clear the air. The state has choked local efforts to provide cleaner air for our citizens, and that's not fair. This is a home-rule issue.

New York City provides us with strong, strong evidence that the restaurant and tourism business can thrive when the air is cleared. Florida's communities deserve the opportunity to strengthen their clean air laws. Let's remove the preemption clause. Let's let communities decide what's best. [applause]

Florida has long been known as the Sunshine State. Madam President, I agree with you; we should work together to make Florida the Fresh Air State, and we can get this done this year.

In 1996, 190 Florida kids died as a result of guns in our communities. Last year, Representative Miller's son, Trey, was shot in the shadow of the Capitol—one of five random victims shot during a graduation party—what should have been a wonderful time. These shots hit very close to home to all of us. But unfortunately, gun violence in our society has become background noise. We need to change that.

Two of our outstanding local officials, Orange County chair Linda Chapin and Miami-Dade Mayor Alex Penelas, are crying out for our support. They're telling us, If the state is not going to act, then allow us to do it. We should help them. Let's close the loophole in our gun laws and make gun shows play by the same rules that our retail stores and pawn shops do. We should require background checks [applause] and a waiting period for gun show purchases. This is the year to take a stand on gun violence. Too many of our kids live in fear of guns in their school yards and in their neighborhoods. Let's give them a measure of safety.

When a child dies from abuse or neglect, we are all outraged. We all feel the black eyes, the bruises, the broken bones. Last year, 116 children died from abuse and neglect in our state. During one week in September, five children died from child abuse. In each of these cases, warning signs were there. These are our children. If you and I don't protect them, nobody will. We must fund 200 new child-protective investigators and provide all of our investigators with more training and more supervision. But we also need to work on the front end.

Healthy Families is a program you established in 1992. It now operates in five counties: Pinellas, Orange, Hillsborough, Duval, and Polk. It provides home visits, parent education, and child development programs for at-risk families. We see incredible statistics around the families that are involved in this innovative program: more than 96 percent experience no abuse or neglect. It's working. Let's expand it so that all of our counties can have an opportunity at this. [applause]

Another program that's working to build Florida's families is our effort to promote adoption. We now provide a free college tuition to adopted foster kids. Using the adoptive hotline, our Internet home page, and a new public awareness campaign, we're encouraging more families to, in the words of our campaign slogan, "Get a Life."

The Governor's Adoption Partnership will begin an intensive advertising campaign this summer. Let's back up this effort to build

permanent homes for more foster kids by increasing the Maintenance Adoption Subsidy.

We have a few new Members here for the first time. Forty years ago, I was here for my first session. I got elected from Polk County kind of walking in neighborhoods; I went down one side of the street and Rhea went down the other, and I probably got elected because she knocked on more doors than I did. But I can tell you it was an incredible time for me to be a Member.

Florida was in the last throes of the Pork Chop Gang when House Members and Senators represented pine trees rather than people. I recall a House Member being kicked out of the Pork Chop Gang because he cast a vote of conscience to allow Broward County, then our fastest growing county, to have four Representatives rather than three.

The Federal Courts came along and reapportioned us, and the top guys of the House moved to the Senate, and a new class of House Members, including a Graham and a D'Alemberte, moved in. It was a renaissance time. Florida burst forth from a rural, southern state to an urban, major player.

After four years in the State Senate, I took a walk, and not only did I get elected to the United States Senate, I learned to listen. It was lonesome when I first started walking in the Panhandle, and I found that the way I could get somebody to walk with me a little further would be if I didn't talk, but if I listened. And the other thing I found out is when I listened, I started learning something.

After 18 years in the Senate, the job that I had wanted since I was 10 years old, I broke my pick on the budget, and I was disgusted, and I came home ready to hang it up. Two years later, I was elected Governor, the one political job I had never coveted. I don't know what I did to deserve that, but being Florida's Governor has been the most exciting and rewarding experience of my life.

I know this sounds like a nostalgia trip, but that's not exactly what I'm about. I have some things after these 40 years that I want to share with you. The Florida that I see today is more exciting than the old Florida that I described. We are more diverse than ever before. The voices we hear in the neighborhoods of Overtown and Little Havana, Orlando, Apalachicola, West Tampa—these are the voices of a new Florida. And though they may speak with different tongues, we can share one voice. Florida is poised to lead into the next millennium by allowing all of our people to have a seat at the table—to be a part of our engine. To do so, we've got to fix our children, we've got to fix our inner cities, we've got to fix our rural blights, and we've got to preserve our precious environment.

Dr. John Hope Franklin—a remarkable man, a truly Renaissance man—was here last week. He chairs the President's Commission on Human Relations. He has written extensively about matters of human relations. He told me about an article that he wrote entitled "The Land of Room Enough"—room enough for you, room enough for me; jobs enough for you, jobs enough for me; opportunity enough for each of us. We've got to make Florida "The Land of Room Enough." Or we can continue to live off of our sunshine and our location and be a state of haves and have-nots; and the haves will be forced to hide behind their locked gates.

You're going to have a lot to do with making these calls. I can't tell you all the answers; I don't know them. But, I can tell you, trust the people. They really care about our state. They really care about all of our people. They will respond if you tell them what you truly believe. You don't have to put a spin on it, but maybe you'll have to be willing to hang out for something that you really believe.

The best way to achieve leadership is to learn more about the subject you're working on than anyone else and to work harder. You don't have to take any short cuts. And part of your contract with the people entitles them to have you vote your honest conviction of what you think is best for them. You will take some risk, but you can remember the only vote you can ever explain is the one you believed in.

Be bold, dare to look foolish. Reach beyond your grasp and go beyond the path you can see.

I have the utmost respect for the representative office that each of you hold and for the people that you represent, and I truly envy the exciting and awesome task that you face. I wish you Godspeed. [applause]

Following his address, Governor Chiles was escorted from the Chamber by the committee. The members of the Supreme Court and the Lieutenant Governor and Cabinet were escorted from the Chamber by the Sergeants at Arms of the Senate and House.

On motion by Senator Bankhead, the Joint Session was dissolved at 11:58 a.m., and the Senators were escorted from the Chamber by the Senate Sergeant at Arms.

#### Reconvened

The House reconvened at 12:01 p.m. A quorum was present.

#### Remarks of the Speaker

**Speaker Webster:** I would like to just share with the House this small little idea. After the last session, I began an interim project. One interim project—that is all the one I was interested in. And so as I explained it to the House staff and from the substantive committees and appropriations committees, and gave them a few guidelines. I e-mailed the Members, most of which may not have read that because you are interested in other things. So I e-mailed you again and then a couple other times I e-mailed you, and then I have talked to some of you, those that have been interested.

Here is what I saw as I went through the first session—maybe had a little more hands-on than I ever had before—and I saw that each state agency had five components that gave it its energy. One was its mission statement. Two, the substantive law, our statute books. Three is the Appropriations Act and what we fund and what we don't fund. Four is the proviso implementing bill—conforming bill—that little group of things that go along with the Appropriations Act. And then five is the agency rules.

As I looked at that, I began thinking about the fact that the mission statements that I read were extremely broad. A lot of times the mission statements and substantive law did not necessarily have a lot to do with each other. And then I noticed—and all of us have noticed this—that in the Appropriations Act a lot of times there are things in substantive law that we just disregard and don't fund at all. On the other hand, there are things that we do fund that are not even in substantive law, and we give them energy by either the conforming bill, the implementing bill, or the proviso. Sometimes we even say, Current law notwithstanding, do this other thing. And then in the end we have—we have already identified thousands—at least we did not do it, the actual agencies did it for us—identified thousands of rules that are external to their statutory authority.

Now the problem I saw was this: I was being asked for the first time to be directly involved in performance-based budgeting, which is a process that I agree with. However, if you have a mission statement and substantive law that do not quite match up, if you do not fund the priorities of that mission statement, if you have proviso that actually goes against the mission statement or the substantive law, and you have agency rules that are external to the actual statutory authority of that agency, how could I, or you, or the Legislature, in good conscience, hold them accountable for outcome? And so that became my project, interim project.

And I do not know if it could be done. I do not know if it could ever be done. But at least there is an area that we might be able to start. So we began looking at just little things. Maybe we could somehow define each agency as a distinct piece of the puzzle. And if there were a picture of Florida, and we began putting those pieces together, in the end we have a nice beautiful picture of Florida. That is the way it would be if we were able to fully implement what I just explained—in that we could bring the mission statement substantive law right into direct conformity. We fund all the priorities: the conforming bill, the implementing bill, proviso language all becomes supplementary and complementary to those three other things. And then the agency rules stay within that framework that is developed by those other four.

If we could do that, then we would have a beautiful Florida. What I have seen over the years, and I think you have seen it too, sometimes I have blinked, sometimes I have turned my head, sometimes I have turned my back knowing that these things were happening. And that is that a lot of the agencies have bled together. So we began asking different agencies to do different things that they really were not called to do. And as that bleeding took place, the picture becomes somewhat blurred, and so that framework is lost. And the actual distinct mention of that one agency is somewhat diluted.

And think about it, if you got it down just into real terms. Today, in the area of education—let's take K through 12—if you read their mission statement, it starts talking about all Floridians, and then it has a lot of glittering generalities that go with that. But wouldn't it be nice if somehow we could get them to focus on K through 12?

Think of what we do to our teachers. We ask them to be juvenile justice officers, truancy officers, part-time parents, health care providers, and then, Oh, by the way, do some teaching. What if we unshackled them and just said, You know what? I want to let you teach, and that is it. And if somehow in a perfect world we could just give them the job to teach, I guarantee you the performance which—what do we hold them accountable for? The front-page stories about test scores, about dropout rates and all of that, that is what we hold education accountable for. But on the other hand, we have dumped upon them a whole lot of other things that probably could be better done in the Department of Health or the Department of Children and Families. But we have made them do it. And we have made them fund it. And I just do not see that that is right. And I am hoping that as the weeks go by, we can begin looking, and we already have been looking, but if we can begin looking and seeing that those individual pieces of the puzzle could be distinct. And we could line up that mission statement, substantive law, the Appropriations Act, and the proviso, implementing bill, conforming bill, and the rules, agency rules—line those up in a perfect line so that the calling is very much understood, the mission is understood. And that every single state agency would have the opportunity to go forward knowing that we are going to hold them accountable. Could I hold someone accountable in that area? Yes, I could. In good heart I could. Under this way we are doing it now, it would be very difficult for me to do that. But if we knew exactly the mission of every single state agency, and we were able to define it in a clear way, and do just what I explained, then I think all of us in good conscience could hold them accountable for the outcomes.

That is a picture of the mission and the Speaker's project for this interim. And I will tell you that I am going to do everything I can, even though when you start doing it, it is a little tougher than it sounds. And there are things that have been put into budgets that do not have anything to do with that particular agency that becomes a little bit a part of that kingdom. And so when you begin just pulling out small items, people begin to be somewhat disturbed. Now, we are not removing them, we are not defunding them, we are only moving them to the right place. And as we do that, though, the efficiencies begin to come into play. And I will tell you that is a picture of what I would like to see our state be, our budget be, our session, and if we can do just a little bit in that area, I would be happy.

Thank you all for letting me serve you as Speaker. I think it is going to be a great 60 days. Looking forward to visiting with you, working with you, and doing just what the Governor said, coming together and coming up with a better product for Florida so that all of the citizens are benefited. Thank you all for letting me serve you as Speaker. [applause]

#### Motion to Adjourn

Rep. Crady moved that the House adjourn for the purpose of holding committee meetings and conducting other House business, to reconvene at 8:30 a.m., Wednesday, March 4. The motion was agreed to.

#### Prime Sponsors

CS/CS/HB 757—D. Prewitt  
CS/CS/HB 759—D. Prewitt  
HB 1671—Lacasa, Morse

HB 1767—Murman  
 HB 2117—Bitner  
 HB 2131—Murman

**Withdrawals as Prime Sponsor**

CS/CS/HB 757—Geller  
 CS/CS/HB 759—Geller

**Cosponsors**

HB 29—Jacobs, Sanderson  
 HB 41—Betancourt, Brown, Casey, Chestnut, Crady, Crow, Dawson-White, Diaz de la Portilla, Effman, Eggelletion, Fasano, Flanagan, Frankel, Futch, Hafner, Heyman, Horan, Kelly, Logan, Melvin, Miller, D. Prewitt, Rodriguez-Chomat, Silver, Smith, Stafford, Turnbull, Wasserman Schultz, Wiles  
 HB 155—Dockery  
 CS/HB 193—Wiles  
 CS/HB 265—Fasano  
 CS/CS/HB 271—Heyman  
 HB 529—Feeney, King  
 CS/HB 585—Jacobs  
 HB 625—Brennan, Crow, Fasano, Futch, Morrioni  
 CS/HB 895—Ritter  
 HB 909—Bainter  
 HB 1155—Livingston  
 HM 1251—Brooks  
 HM 1253—Brooks  
 HM 1261—Brooks  
 HB 1269—Fasano  
 HB 1273—Fasano  
 HB 1287—Bainter, Burroughs, Crist, Gay, Livingston, Logan, Saunders  
 CS/HB 1377—Sanderson  
 HB 1455—Dockery  
 HB 1463—Brooks  
 CS/HB 1479—Brown, Effman  
 HB 1575—Livingston  
 HB 1599—Wasserman Schultz  
 HB 1617—Barreiro, Casey, Cosgrove, Futch, Heyman, Lawson, Murman, Villalobos  
 HB 1625—Ritter  
 HB 1701—Rodriguez-Chomat  
 HJR 1725—Futch  
 HB 1731—Fasano, Posey, D. Prewitt  
 HB 1757—Rodriguez-Chomat  
 HB 1781—Fasano  
 HB 1795—Kelly, Littlefield  
 HB 1961—Rayson  
 HB 1983—Brown  
 HB 2133—Murman

**Withdrawals as Cosponsor**

HB 601—Rodriguez-Chomat

**Introduction and Reference**

By Representatives Carlton, Fasano, and Feeney—

**HB 3001**—A bill to be entitled An act relating to restrictions on individuals qualifying for public office; amending s. 99.012, F.S.; requiring a person who is a subordinate officer, deputy sheriff, or police officer to resign upon qualifying for public office; providing for the effective date of such resignation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Election Reform and Law Enforcement & Public Safety.

By Representatives Saunders, Fasano, and Feeney—

**HM 3003**—A memorial to the Congress of the United States, urging the Congress to act on an amendment to the Constitution of the United States relating to the rights of crime victims.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment.

By Representatives Edwards and Putnam—

**HB 3005**—A bill to be entitled An act relating to law enforcement background investigations; amending s. 768.095, F.S., relating to employer immunity with respect to disclosure of information regarding former employees; requiring disclosure by a former or current employer of certain information authorized for release by an applicant for a law enforcement officer position, under specified circumstances; defining the offense of violating such disclosure requirements for law enforcement background investigations, and providing penalties therefor; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations and Business Regulation & Consumer Affairs.

By Representatives Fasano and Feeney—

**HB 3007**—A bill to be entitled An act relating to juvenile substance abuse testing; amending s. 985.301, F.S.; requiring substance abuse testing of a child who is issued a civil citation for commission of an act constituting a misdemeanor if committed by an adult, under specified circumstances; creating s. 985.2125, F.S.; providing legislative intent; authorizing the Department of Juvenile Justice to conduct mandatory substance abuse testing of such child or of a child who is charged with or found to have committed an offense constituting a misdemeanor or felony if committed by an adult; providing for adoption of rules by the department; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Juvenile Justice and Criminal Justice Appropriations.

**HB 3009**—Withdrawn

By Representative Rojas—

**HB 3011**—A bill to be entitled An act for the relief of Vernelle Lowder; providing an appropriation to compensate her for damages she sustained as a result of the negligence of the Department of Health, formerly the Department of Health and Rehabilitative Services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and Health & Human Services Appropriations.

By Representative Cosgrove—

**HB 3013**—A bill to be entitled An act relating to the South Florida Water Management District; providing for the relief of Alan Taylor; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the South Florida Water Management District; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and General Government Appropriations.

**HB 3015**—Withdrawn

**HB 3017**—Withdrawn

**HB 3019**—Withdrawn

**HB 3021**—Withdrawn

By Representative Livingston—

**HB 3023**—A bill to be entitled An act relating to the City of Sanibel; providing for the relief of Jeremy Stewart; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the City of Sanibel; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Ritter—

**HB 3025**—A bill to be entitled An act relating to the City of Pembroke Pines; providing for the relief of Triesa Wells; providing for an appropriation to compensate Triesa Wells for injuries sustained as a result of the negligence of an employee of the City of Pembroke Pines; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Silver—

**HB 3027**—A bill to be entitled An act providing for the relief of Kathryn Malloy, formerly known as Kathryn Sperdute; providing for an appropriation to reimburse her for injuries suffered in an accident that was caused by the negligence of an employee of the Palm Beach County School Board; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Thrasher—

**HB 3029**—A bill to be entitled An act relating to Duval County; providing for the relief of Carrie A. Wilson; providing for an appropriation to reimburse Carrie A. Wilson, and her mother, Barbara Britt, for injuries sustained by Carrie A. Wilson as a result of the negligence of the Duval County School Board; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Barreiro—

**HB 3031**—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Adela Azcuy; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representatives Stafford, Heyman, Lacasa, and Sanderson—

**HB 3033**—A bill to be entitled An act relating to execution; amending s. 922.10, F.S.; providing for execution of the death penalty by means of

lethal injection; providing for election of lethal injection by certain persons sentenced to death for capital offenses committed before the effective date of the act; providing for administration of the lethal injection; providing for execution by electrocution under specified circumstances; providing an exemption from chapter 120, relating to the Administrative Procedures Act, for the policies and procedures of the Department of Corrections relating to execution; providing for designation of the executioner by the superintendent; providing for confidentiality of information identifying the person administering the lethal injection; providing for applicability or retroactive applicability to certain offenses; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment.

By Representatives Meek, Miller, Reddick, Bullard, Bush, and Dawson-White—

**HB 3035**—A bill to be entitled An act for the relief of Freddie Lee Pitts and Wilbert Lee; providing an appropriation to compensate them for being victims of a miscarriage of justice; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims, Governmental Operations, Finance & Taxation, and General Government Appropriations.

By Representative Cosgrove—

**HB 3037**—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Bruce Wiggins as Personal Representative of the Estate of Helen Wiggins, deceased, for the benefit of Bruce Wiggins, Alisha Wiggins, a minor, and Jake Wiggins, a minor; providing for an appropriation to compensate them for the death of Helen Wiggins as a result of the negligence of Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Fasano—

**HB 3039**—A bill to be entitled An act relating to husband and wife; creating s. 741.2105, F.S.; prohibiting marriages between persons when one of the persons has been convicted of a capital felony for which a death sentence has been imposed; providing an exception; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Rules & Regulations.

By Representative Miller—

**HB 3041**—A bill to be entitled An act providing for the relief of Frank Roster; providing an appropriation to reimburse him for injuries suffered due, in part, to the negligence of the Department of Transportation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and Transportation & Economic Development Appropriations.

By Representative Sembler—

**HB 3043**—A bill to be entitled An act for the relief of Joseph Bellamy Farver; providing an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the Department of

Children and Family Services, formerly the Department of Health and Rehabilitative Services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and Health & Human Services Appropriations.

By Representative Boyd—

**HB 3045**—A bill to be entitled An act for the relief of Penny Tilley, as widow of Jack W. Tilley and beneficiary of his estate; providing an appropriation for the purpose of paying Penny Tilley the retirement benefits to which she would have been entitled as surviving spouse of Jack W. Tilley had Jack W. Tilley survived to the date on which he would have vested in the Florida System; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims, Governmental Operations, and General Government Appropriations.

By Representative Lynn—

**HB 3047**—A bill to be entitled An act relating to the West Volusia Hospital Authority; providing for relief of Michelle Jones, a minor, and Kathy M. Jones, her mother; directing the West Volusia Hospital Authority to appropriate funds to be paid to Kathy Jones, individually, and for the benefit of Michelle Jones, a minor, to compensate them for injuries and damages sustained as a result of the negligence of the West Volusia Hospital Authority, formerly d/b/a West Volusia Memorial Hospital; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Edwards—

**HB 3049**—A bill to be entitled An act relating to the regulation of health care professionals; creating s. 455.569, F.S.; providing for mandatory permanent revocation of licensure of certain health care professionals who are regulated by the Department of Health and have been found to have committed sexual misconduct in the practice of their profession; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Business Regulation & Consumer Affairs.

By Representative Miller—

**HB 3051**—A bill to be entitled An act relating to the City of Tampa; providing for the relief of Jemal Kurein, by and through his wife and natural guardian, Semira Kurein, and for Semira Kurein, individually, and for Remzu Kurein and Nima Kurein, minor children of Jemal Kurein and Semira Kurein, by and through their mother, Semira Kurein; providing for an appropriation to compensate them for injuries and damages sustained by Jemal Kurein as a result of the negligence of the City of Tampa; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representatives Stafford, Heyman, and Sanderson—

**HB 3053**—A bill to be entitled An act relating to public records; providing exemptions from public records requirements for information identifying the person administering the lethal injection during execution of the death sentence; providing for future review and repeal; providing a finding of public necessity; amending s. 945.10, F.S.,

relating to confidential information of the Department of Corrections, to conform; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment.

By Representative Tobin—

**HB 3055**—A bill to be entitled An act relating to the North Broward Hospital District, Broward County; providing for the relief of Bruce Silverman and Janie Silverman, personal representatives of the estate of Alexandra Silverman; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representatives Ritter and Rodriguez-Chomat—

**HB 3057**—A bill to be entitled An act relating to Dade County; providing for the relief of Jeanette Alonso, a minor, for injuries sustained as a result of the conduct of the Public Health Trust of Dade County, d.b.a. Jackson Memorial Hospital; providing for payment by the Public Health Trust of Dade County, d.b.a. Jackson Memorial Hospital; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representatives Albright and Feeney—

**HB 3059**—A bill to be entitled An act relating to federal designations for Florida land or water bodies; restricting authority to apply for federal designations to the Legislature and the Cabinet; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Environmental Protection.

By Representatives Minton, Fasano, and Kelly—

**HB 3061**—A bill to be entitled An act relating to airports; amending s. 330.30, F.S.; exempting certain airports used exclusively for aerial application or spraying of crops on a seasonal basis from a provision of law providing for the approval of airport sites and the licensing of airports; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representative Lacasa—

**HB 3063**—A bill to be entitled An act relating to educational facilities; amending s. 235.31, F.S.; requiring boards to prequalify bidders for construction contracts according to Commissioner of Education rule; requiring certification or licensure of bidders or contractors; amending s. 489.125, F.S.; conforming language relating to construction contractors; repealing s. 489.527, F.S., relating to electrical and alarm system contractors, to conform; repealing section 633.551(5), F.S., relating to fire protection system contractors, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education Innovation and Governmental Operations.

By Representatives Kelly, Sindler, Heyman, Fasano, Posey, and Minton—

**HB 3065**—A bill to be entitled An act relating to building designations; designating the Florida Department of Transportation

District Five headquarters building located in Volusia County as the "Ben G. Watts Building"; directing the Department of Transportation to erect suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representatives Arnall, Fasano, Feeney, Constantine, and Mackenzie—

**HB 3067**—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.042, F.S.; authorizing members of the state Legislature to address the commission at public meetings; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Utilities & Communications.

By Representatives Mackey and Feeney—

**HB 3069**—A bill to be entitled An act relating to district school board members and school superintendents; amending ss. 230.202, 230.303, and 230.321, F.S.; limiting salary increases for district school board members and school superintendents; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education/K-12, Governmental Operations, Finance & Taxation, and Education Appropriations.

By Representatives Rodriguez-Chomat, Diaz de la Portilla, and Rojas—

**HJR 3071**—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution relating to homestead exemption.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate, Governmental Operations, and Finance & Taxation.

**HB 3073**—Withdrawn

By Representatives K. Pruitt, Futch, Thrasher, Starks, Feeney, Crist, Ritchie, Fasano, and Diaz de la Portilla—

**HB 3075**—A bill to be entitled An act relating to municipal firefighters' pension trust funds and municipal police officers' retirement trust funds; amending and revising the provisions of chapters 175 and 185, F.S.; defining "chapter plans" and "local law plans"; redefining "compensation" or "salary" for retirement purposes under these chapters; clarifying the applicability of minimum benefits for both chapter and local law plans; revising investment provisions to permit cities greater investment latitude to make foreign investments; eliminating discriminatory language in conformance with state and federal discrimination provisions; providing that certain benefits provided are a minimum and may not be diminished by any other state, local, or federal benefits; providing an exception; modifying the formula for calculating volunteer firefighter service retirement benefits; clarifying terminology relating to "sole and exclusive use of" premium tax funds and "extra benefits" by providing that moneys must be placed in a police-only or firefighter-only plan or a combined police and firefighter plan as opposed to placing moneys in any type of plan that includes general employees; providing for establishment of a new board and for transfer of assets in certain cases; creating s. 175.195, F.S.; prohibiting certain fraudulent practices; providing criminal and administrative penalties; repealing s. 175.152, F.S., relating to contributions; repealing s. 175.251, F.S., relating to employment records that are required to be kept by the secretary of the board of trustees; repealing s. 175.291, F.S., relating to the requirement that the attorney for the municipality or special fire control district represent the board of trustees upon request and the option to employ independent counsel and other persons; repealing s. 175.321, F.S., relating to the application of certain provisions to municipalities and fire control districts;

repealing s. 175.331, F.S., relating to the rights of firefighters under former law; repealing s. 175.391, F.S., relating to payment of attorney's fees and costs; repealing s. 185.14, F.S., relating to contributions; repealing s. 185.15, F.S., relating to contributions and new employees; creating s. 185.185, F.S.; prohibiting certain fraudulent practices; providing criminal and administrative penalties; repealing s. 185.27, F.S., relating to the roster of retirees; repealing s. 185.29, F.S., relating to the city attorney representing the board of trustees; repealing s. 185.32, F.S., relating to exemptions from the chapter; repealing s. 185.36, F.S., relating to the rights of police officers under former laws; repealing s. 185.40, F.S., relating to costs and attorney's fees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety, Governmental Operations, and Finance & Taxation.

By Representatives Goode and Dockery—

**HB 3077**—A bill to be entitled An act relating to Medicaid provider fraud; amending s. 409.910, F.S.; reducing and limiting the scope of liability for which Medicaid benefits must be repaid; amending s. 624.424, F.S.; conforming a cross-reference to changes made by the act; providing for retroactive application; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Andrews—

**HB 3079**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Julie McGinnes; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of Palm Beach County; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Casey—

**HB 3081**—A bill to be entitled An act relating to Alachua County; providing for the relief of Matthew White; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the Alachua County Sheriff's Department; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Eggelietion—

**HB 3083**—A bill to be entitled An act relating to the City of Hialeah; providing for the relief of Jose Pena, as Personal Representative of the Estate of Carmen Pena, deceased, and individually, as surviving father of Katherine Pena and Richard Pena, minor children of Carmen Pena and Jose Pena, deceased; providing for the relief of Johammes Pena, surviving son of Carmen Pena; providing for an appropriation to compensate them for the death of Carmen Pena, Katherine Pena, and Richard Pena as a result of the negligence of the City of Hialeah; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Healey—

**HB 3085**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Kimberly L. Gonzalez; providing for an

appropriation to compensate her for injuries and damages sustained as a result of the negligence of the Palm Beach County Sheriff's Department; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Geller—

**HB 3087**—A bill to be entitled An act relating to Medicaid provider fraud; amending s. 409.910, F.S.; reducing and limiting the scope of liability for which Medicaid benefits must be repaid; amending s. 624.424, F.S.; conforming a cross-reference to changes made by the act; providing for retroactive application; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Rules & Regulations.

By Representatives Brooks, Littlefield, Jacobs, Fasano, Feeney, and Constantine—

**HB 3089**—A bill to be entitled An act relating to personnel working in nursing facilities; creating s. 400.215, F.S.; requiring background screening for nursing facility staff who have regular, unsupervised contact with residents; providing for fees; providing for exemptions from disqualification; providing certain exemptions from screening requirements; requiring adoption of rules; specifying dates for compliance by employees and new applicants; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Elder Affairs & Long Term Care and Health & Human Services Appropriations.

By Representatives Lippman, Safley, Ritchie, Bitner, Arnall, Ritter, and Fasano—

**HB 3091**—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.185, F.S.; increasing the exemption from the first mill of the annual tax granted to natural persons; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Financial Services, Community Affairs, Finance & Taxation, and General Government Appropriations.

**HB 3093**—Withdrawn

**HB 3095**—Withdrawn

By Representatives Rodriguez-Chomat, Diaz de la Portilla, and Rojas—

**HB 3097**—A bill to be entitled An act relating to homestead exemption; amending s. 196.031, F.S.; exempting an additional amount of the assessed value of certain homesteads under certain circumstances; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Greene, D. Prewitt, Fasano, and Bainter—

**HB 3099**—A bill to be entitled An act relating to veterans; creating s. 320.08405, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop, in cooperation with the Department of Veterans' Affairs, taglets honoring each military branch; providing for a fee; providing for applications; providing for the disposition of fees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation, Community Affairs, Finance & Taxation, and Transportation & Economic Development Appropriations.

**HB 3101**—Withdrawn

By Representative Bullard—

**HB 3103**—A bill to be entitled An act relating to education; creating s. 233.0627, F.S.; requiring district school boards to provide swim lessons for certain elementary school students; authorizing cooperative agreements for the use of community resources; providing for rules and standards; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education/K-12, Community Affairs, and Education Appropriations.

By Representative Ritter—

**HB 3105**—A bill to be entitled An act relating to health insurance; creating s. 627.64193, F.S.; providing prohibitions and requirements relating to congenital cranio-facial anomalies of dependent children; providing a legislative determination of important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Services, Financial Services, and Health & Human Services Appropriations.

By Representatives Fasano, Effman, and Feeney—

**HB 3107**—A bill to be entitled An act relating to sexual predator registration; amending s. 775.21, F.S.; removing an exception to sexual predator registration requirements which authorizes the court to remove the sexual predator designation upon petition by a sexual predator who has not been arrested for at least 10 years following release; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment.

**HB 3109**—Withdrawn

By Representatives Bradley and Fasano—

**HB 3111**—A bill to be entitled An act relating to affordable housing; amending s. 290.0301, F.S.; changing the title of the "Community Development Corporation Support and Assistance Program Act" to the "Invest in Neighborhood Vitality and Economics Act"; advancing the date of the repeal of the act to June 30, 2007; amending s. 290.0311, F.S.; revising language with respect to legislative findings; providing reference to community-based development organizations; amending s. 290.032, F.S.; revising language with respect to policy and purpose; amending s. 290.033, F.S.; providing definitions; amending s. 290.034, F.S.; revising language with respect to funding; amending s. 290.035, F.S.; revising language with respect to eligibility for assistance; amending s. 290.036, F.S.; providing for the community-based development organization support program; providing for administrative grants and procedures; providing for incentive awards; amending s. 290.0365, F.S.; providing for a community-based development training and technical assistance program; amending s. 290.037, F.S.; revising language with respect to the community development deferred payment loan program; amending s. 290.038, F.S.; revising language with respect to the authority and duties of the Department of Community Affairs; amending s. 290.039, F.S.; revising language with respect to reporting requirements; amending s. 290.0395, F.S.; providing for program performance review and evaluation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Transportation & Economic Development Appropriations.

By Representatives Fuller, Murman, Livingston, Starks, and Feeney—

**HB 3113**—A bill to be entitled An act relating to community contribution tax credits; amending ss. 220.183 and 624.5105, F.S.;

increasing the annual limitation on the amount of such credits that may be granted against the corporate income tax and insurance premium taxes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs, Finance & Taxation, and Transportation & Economic Development Appropriations.

By Representative Futch—

**HB 3115**—A bill to be entitled An act relating to animals; creating s. 828.35, F.S.; providing requirements for the rabies vaccination of ferrets; providing exemptions; providing for rabies vaccination certificates; providing for quarantine according to rules; providing a penalty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Agriculture.

By Representatives Mackey, Ogles, and Diaz de la Portilla—

**HB 3117**—A bill to be entitled An act relating to hospitals; amending s. 395.0191, F.S.; providing staff membership and clinical privileges for licensed optometrists; providing certain limitations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform, Governmental Rules & Regulations, and Health & Human Services Appropriations.

**HB 3119**—Withdrawn

By Representative Mackey—

**HB 3121**—A bill to be entitled An act relating to access to public records and information by inmates and other offenders under correctional supervision; amending s. 945.10, F.S., relating to confidential information and other information available to inmates and offenders in the correctional system or under supervision; prohibiting certain disclosure or use of certain “personal information about another,” as defined, by an inmate or offender with intent to obtain a benefit or to harm or defraud another, to which information the inmate or offender has had access by means of correctional work or other program participation; providing penalties; providing that an inmate or offender convicted of such offense is prohibited from subsequent participation in such programs; providing that an inmate or offender convicted of such offense is subject to forfeiture of gain-time; providing for adoption of rules by the department; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

**HB 3123**—Withdrawn

By Representative Smith—

**HB 3125**—A bill to be entitled An act relating to disposal of solid waste; amending s. 403.707, F.S.; revising and clarifying conditions under which the disposal of solid waste is exempt from Department of Environmental Protection permitting requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Environmental Protection and General Government Appropriations.

By Representative Boyd—

**HB 3127**—A bill to be entitled An act relating to regulation of professionals; amending s. 455.624, F.S.; specifying health care professionals for whom failure to wear certain identification while

offering services to the public is grounds for disciplinary action; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Business Regulation & Consumer Affairs.

**HB 3129**—Withdrawn

By Representatives Feeney, Fasano, D. Prewitt, Heyman, Boyd, Crow, Turnbull, Maygarden, Livingston, Ball, Ziebarth, Murman, and Spratt—

**HB 3131**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; authorizing certain persons to participate in the Deferred Retirement Option Program notwithstanding certain restrictions; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations and General Government Appropriations.

By Representatives Harrington and Livingston—

**HB 3133**—A bill to be entitled An act relating to pest control; amending ss. 482.021, 487.021, and 500.03, F.S.; clarifying definitions of “pest control,” “pesticide or economic poison,” “pesticide,” and “pesticide chemical” with respect to the application or use of plain water; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Harrington, Dockery, Sindler, Fasano, Putnam, Bainter, and D. Prewitt—

**HB 3135**—A bill to be entitled An act relating to the construction of the Florida Statutes; amending s. 1.01, F.S.; redefining the term “veteran”; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Health & Human Services Appropriations.

By Representatives Harrington and Heyman—

**HB 3137**—A bill to be entitled An act relating to battery; creating s. 784.078, F.S.; defining “facility” and “employee”; defining the offense of battery of facility employee by throwing, tossing, or expelling certain fluids or materials on an employee of a correctional facility of the state or local government or a secure facility operated and maintained by the Department of Corrections or the Department of Juvenile Justice or other facility employee, so as to cause or attempt to cause such employee to come into contact with the fluid or material; providing penalties; providing for placement of an offender on a management meal program under specified circumstances; amending s. 921.0022, F.S.; providing for ranking the offense of battery of a facility employee for purposes of the Criminal Punishment Code offense severity ranking chart; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Ogles and Heyman—

**HB 3139**—A bill to be entitled An act relating to offenses that evidence prejudice; amending s. 775.085, F.S.; providing enhanced penalties for offenses that show evidence of prejudice against the victim, based on the victim’s mental or physical disability or advanced age; providing definitions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment and Criminal Justice Appropriations.

By the Committee on Family Law & Children; Representatives Lynn and Frankel—

**HB 3141**—A bill to be entitled An act relating to employment screening; amending s. 64, ch. 95-228, Laws of Florida; restricting an applicability provision relating to criminal offenses that was inadvertently attributed to certain employment screening provisions; providing legislative findings and intent; providing a retroactive effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Healey, Lippman, Cosgrove, Hill, Lawson, Bloom, Brennan, Bullard, D. Prewitt, Crist, Barreiro, Kelly, Rodriguez-Chomat, Crow, Posey, Culp, Murman, Wallace, Fasano, Arnold, Stabins, Geller, Rayson, Ritter, Brown, Miller, Frankel, Dawson-White, Jacobs, Edwards, Saunders, Tamargo, Jones, Greene, Diaz de la Portilla, Betancourt, Morse, Villalobos, Mackenzie, and Hafner—

**HB 3143**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.531, F.S.; redefining the terms “law enforcement officer” and “correctional officer” to include part-time officers; defining the term “willful and knowing”; amending s. 112.532, F.S.; revising language with respect to the rights of law enforcement and correctional officers; requiring certain officers in charge of an investigation to be certified; authorizing an officer to bring a civil action against an agency for a willful and knowing violation of part VI of chapter 112, F.S.; providing for costs and attorney’s fees; amending s. 112.533, F.S.; authorizing officers to review complaints and all written or otherwise recorded statements made; authorizing an officer to review his or her personnel file under certain circumstances; authorizing the inclusion of certain statements; amending s. 112.534, F.S.; revising language with respect to the failure of an agency to comply with the provisions of part VI of chapter 112, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety.

By Representatives Heyman, Bloom, D. Prewitt, Morroni, Roberts-Burke, Bush, Ritter, Lynn, Brown, Jacobs, Dawson-White, Fischer, Miller, Ogles, Kosmas, Arnall, Casey, Diaz de la Portilla, and Rodriguez-Chomat—

**HB 3145**—A bill to be entitled An act relating to infant health care; amending ss. 383.14, 383.318, and 467.019, F.S.; providing requirements for screening of infants born in the state for controlled substances and human immunodeficiency virus (HIV) infection; providing duties of the Department of Health, birth centers, and midwives; requiring adoption of rules; deleting an exemption from infant health screening requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Services and Health & Human Services Appropriations.

By Representative Heyman—

**HB 3147**—A bill to be entitled An act relating to dog guides and service dogs; amending s. 413.08, F.S.; prohibiting a person from interfering with a person who is engaged in training a dog guide or service dog; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment and Community Affairs.

By Representatives Miller, Fischer, Bloom, Casey, Brennan, Horan, Boyd, Rodriguez-Chomat, Brown, Roberts-Burke, Wasserman Schultz, Bush, Culp, Turnbull, Geller, Jacobs, Cosgrove, Heyman, Frankel, D. Prewitt, Bullard, Jones, and Dawson-White—

**HB 3149**—A bill to be entitled An act relating to the school health services program; amending s. 381.0056, F.S.; deleting provisions which

require Department of Education cooperation with the Department of Health; providing staff requirements for the school health services program; providing for use of funds; providing appropriations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Services, Finance & Taxation, and Health & Human Services Appropriations.

By Representatives Villalobos and Barreiro—

**HJR 3151**—A joint resolution proposing an amendment to Section 6, Article VII of the State Constitution relating to an additional homestead tax exemption.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate, Finance & Taxation, and General Government Appropriations.

By Representatives Melvin, Wise, Bainter, Kelly, Ogles, Maygarden, Littlefield, Villalobos, Bitner, Wallace, K. Pruitt, Westbrook, Spratt, Casey, Argenziano, Feeney, Futch, Putnam, Smith, Dockery, Mackey, Andrews, Crady, Posey, Fasano, and Diaz de la Portilla—

**HB 3153**—A bill to be entitled An act relating to lobbying; amending s. 11.062, F.S.; prohibiting the use of public or private funds by certain governmental entities for retaining a lobbyist; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

**HB 3155**—Withdrawn

By Representatives Murman and Ogles—

**HB 3157**—A bill to be entitled An act relating to electrical power plants; prohibiting the use of Orimulsion as a fuel to generate electricity; providing for an independent environmental impact study and report to the Legislature; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

**HB 3159**—Withdrawn

By Representative Mackenzie—

**HB 3161**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.532, F.S.; providing requirements with respect to recordings made during the formal interrogation of a law enforcement or correctional officer; amending s. 112.533, F.S.; providing for rights of law enforcement and correctional officers to review their personnel files, attach a response, and receive a copy of certain materials in the file; amending s. 943.135, F.S.; permitting law enforcement officers who are elected or appointed public officials to maintain certification in a special status while holding office; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety and Governmental Operations.

By Representative Jones—

**HB 3163**—A bill to be entitled An act relating to business brokers; providing for the regulation of business brokers and business salespersons; providing definitions; creating the Florida Business Brokerage Board; providing for the appointment and confirmation of board members; providing rulemaking authority; providing for licensure and renewal of licenses by the Department of Business and Professional Regulation; providing for qualifications and education and experience requirements for licensure; providing that corporations and partnerships are ineligible for licensure; providing for examination and continuing education requirements; providing for the inactive status of

licenses; providing for registration of office locations; requiring compliance with professional standards; providing for discipline; providing for violations and penalties; providing for final orders; providing for business broker course instructors; providing for retention of records; providing for temporary practice; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Regulation & Consumer Affairs, Governmental Rules & Regulations, and General Government Appropriations.

By Representatives Lynn, Fasano, and Heyman—

**HB 3165**—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S., relating to prohibitions against selling, manufacturing, delivering, or possessing with intent to sell, manufacture, or deliver controlled substances within 200 feet of the real property comprising a public housing facility; defining "real property comprising a public housing facility"; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment.

By Representatives K. Pruitt and Feeney—

**HB 3167**—A bill to be entitled An act relating to tax administration; creating s. 213.285, F.S.; authorizing the Department of Revenue to initiate a certified audits project under which taxpayers may hire qualified practitioners to review and report on their tax compliance; providing definitions; providing requirements for participation by such practitioners and taxpayers; providing requirements for the conduct of certified audits; providing status of the audit report; amending s. 213.053, F.S.; authorizing the department to provide certain information to the Board of Accountancy or to a court with respect to a certified public accountant participating in the project; amending s. 213.21, F.S.; authorizing settlement or compromise of penalties and abatement of interest for taxpayers who participate in the project; providing for repeal of the certified audits project; providing an appropriation and authorizing positions within the department; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Rules & Regulations, Finance & Taxation, and General Government Appropriations.

By Representatives Brooks, Posey, Fasano, Argenziano, Sanderson, Maygarden, Ball, Dockery, Trovillion, Futch, Culp, Feeney, Kelly, and Merchant—

**HB 3169**—A bill to be entitled An act relating to taxation of intangible personal property; amending s. 199.185, F.S.; increasing the value of property that is exempted from the annual tax of taxpayers who are natural persons; providing an exemption from the annual tax for taxpayers that are not natural persons; excluding accounts receivable from the property subject to taxation; amending s. 199.032, F.S.; providing an exemption from the tax for certain intangible personal property that is secured by mortgage, deed of trust, or other lien upon real estate; repealing ss. 199.012, 199.023, 199.032, 199.042, 199.052, 199.057, 199.062, 199.103, 199.104, 199.106, 199.133, 199.135, 199.143, 199.145, 199.155, 199.175, 199.183, 199.185, 199.202, 199.212, 199.218, 199.232, 199.262, 199.272, 199.282, 199.292, 199.303, F.S., relating to the tax on intangible personal property; abolishing the tax; providing duties and powers of the Department of Revenue with respect to collection of unpaid taxes; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Financial Services, Finance & Taxation, and General Government Appropriations.

By Representatives Starks, Feeney, Constantine, Trovillion, Ogles, Casey, Morroni, Bainter, Arnall, Barreiro, Sublette, K. Pruitt, Stabins, Morse, Bitner, Gay, Reddick, Merchant, and Ball—

**HB 3171**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for replacement engines, parts, and equipment used in the repair or maintenance of certain aircraft; providing an exemption for the sale or lease of certain aircraft for use by a common carrier; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Finance & Taxation and Transportation & Economic Development Appropriations.

By the Committee on Governmental Operations; Representatives Posey, Fasano, and Feeney—

**HB 3173**—A bill to be entitled An act relating to retirement funds; amending ss. 175.071 and 185.06, F.S.; revising the general powers and duties of the board of trustees of municipal firefighters' pension trust funds and municipal police officers' retirement trust funds; revising investment provisions to permit municipalities greater investment latitude to make foreign investments; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Finance & Taxation.

By Representatives Crist, Ball, Trovillion, Futch, Bainter, Lynn, Crow, Thrasher, Starks, Livingston, Putnam, Wallace, Melvin, Casey, Wise, Posey, Constantine, King, Littlefield, Brooks, Jones, Albright, Tamargo, Carlton, Edwards, Turnbull, Boyd, Bronson, Saunders, Maygarden, Valdes, Fasano, Smith, Minton, Morroni, Fischer, Bitner, Arnall, Safley, Feeney, K. Pruitt, Culp, Goode, Peaden, Spratt, Kelly, Byrd, Burroughs, Flanagan, Stabins, Sindler, Cosgrove, D. Prewitt, Heyman, Merchant, Fuller, Crady, Dockery, Argenziano, Mackey, Brown, Hafner, Stafford, Bloom, Wiles, Sembler, Mackenzie, Jacobs, Harrington, Villalobos, Westbrook, Murman, Diaz de la Portilla, and Sanderson—

**HB 3175**—A bill to be entitled An act relating to state postconviction proceedings; creating the "Death Penalty Appeals Reform Act of 1998"; amending s. 27.7001, F.S.; revising legislative intent with respect to collateral representation to exclude postconviction proceedings in state court; amending s. 27.701, F.S.; making the regions of the capital collateral regional counsel offices coincident with the jurisdictional areas of certain federal court districts; amending s. 27.702, F.S., relating to duties of capital collateral regional counsel; eliminating certain duties for representation in state court proceedings; revising time limitation for application for relief in federal court; prohibiting use of state funds by the capital collateral regional counsel offices for purposes of state court litigation; amending s. 27.704, F.S.; providing for contracts with private counsel for representation in federal postconviction proceedings; amending s. 27.707, F.S.; providing for service of process of certain subpoenas or court orders issued by federal courts or federal judges; amending s. 12, ch. 97-313, Laws of Florida, to eliminate legislative recommendation that the Florida Supreme Court adopt by rule specified provisions limiting the time for postconviction proceedings in capital cases; amending s. 27.708, F.S., relating to access to prisoners and compliance with Florida Rules of Criminal Procedure; removing certain provisions with respect to compliance with Florida Rules of Criminal Procedure; amending s. 79.01, F.S., relating to application and writ for habeas corpus; providing that a judgment of conviction or sentence which has been affirmed on direct appeal constitutes "lawful authority" to detain a person for purposes of construing specified provisions; amending s. 924.051, F.S.; revising provisions relating to terms and conditions of appeals and collateral review in criminal cases, to provide for elimination of certain postconviction proceedings in state courts; providing that a state court may not review or examine the legality of judgment or sentence imposed in a criminal case by a court of competent jurisdiction, except pursuant to direct appeal; amending s. 924.055, F.S.;

prohibiting certain postconviction proceedings in state courts; repealing s. 924.066, F.S., relating to collateral relief; creating s. 925.0365, F.S.; providing that the admission of ineffective assistance of counsel by attorney in a criminal proceeding makes the attorney ineligible for certain public employment or state compensation in criminal matters; providing for mandatory notification by the Attorney General to The Florida Bar and specified other entities of such admission; repealing Rules 3.850, 3.851, and 3.852, Florida Rules of Criminal Procedure, relating to motion to vacate, set aside, or correct sentence, collateral relief after death sentence has been imposed, and capital postconviction public records production, respectively; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment, Civil Justice & Claims, and Criminal Justice Appropriations.

By Representative Arnall—

**HB 3177**—A bill to be entitled An act relating to telecommunications; providing legislative intent relating to network access services and universal services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Utilities & Communications, Governmental Operations, and Transportation & Economic Development Appropriations.

By Representatives Morroni, Safley, Crow, Bradley, Fischer, Brennan, Hafner, Jones, and Wallace—

**HB 3179**—A bill to be entitled An act relating to pharmacy practice; amending s. 465.003, F.S.; defining the term “data communication device”; revising the definition of the term “practice of the profession of pharmacy”; amending s. 465.017, F.S.; providing additional persons and entities to whom records relating to the filling of prescriptions and the dispensing of medicinal drugs that are maintained by a pharmacy may be furnished; providing restrictions on such records when transmitted through a data communication device; amending ss. 465.014, 465.015, 465.0196, 468.812, and 499.003, F.S.; correcting cross references, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Business Regulation & Consumer Affairs.

By Representatives D. Prewitt and Fasano—

**HB 3181**—A bill to be entitled An act relating to alcoholic beverage taxes; amending s. 561.501, F.S.; exempting from the surcharge on the sale of alcoholic beverages for consumption on the premises specified tax-exempt organizations which are licensed vendors, including religious, charitable, scientific, literary, educational, and similar organizations, civic organizations, employees’ associations, clubs, fraternal benefit societies, fraternal lodges, and armed forces and veterans’ organizations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Regulated Services, Governmental Operations, Finance & Taxation, and General Government Appropriations.

By Representative Geller—

**HB 3183**—A bill to be entitled An act relating to condominiums; creating the Condominium Study Commission; providing for membership; providing legislative intent; providing for duties; providing for recommendations; providing an appropriation; providing for future repeal; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate, Business Regulation & Consumer Affairs, Governmental Rules & Regulations, and General Government Appropriations.

By Representatives Thrasher, Logan, Wasserman Schultz, and Feeney—

**HB 3185**—A bill to be entitled An act relating to the Public Service Commission; amending s. 367.081, F.S.; authorizing the commission to consider contributions-in-aid-of-construction only under certain circumstances; providing construction; requiring the commission to approve rates for certain services under certain circumstances; providing construction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Utilities & Communications.

**HB 3187**—Withdrawn

By Representatives Sembler, Fasano, and Feeney—

**HB 3189**—A bill to be entitled An act relating to parole; creating s. 947.182, F.S.; providing definitions; requiring as a condition of the parole of a sex offender or a murderer that the offender apply to the Department of Highway Safety and Motor Vehicles for a special identification card or driver's license and, if subject to motor vehicle registration requirements, a special color-coded license tag; requiring the department in cooperation with the Department of Law Enforcement to provide for special designation of a sex offender or murderer on any driver's license, identification card, or license tag issued to the paroled offender; amending s. 775.21(7), F.S.; conforming provision relating to determination of the feasibility of requiring sexual predators to have a special designation on any identification card, driver's license, or license tag issued in the state; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Corrections and Transportation & Economic Development Appropriations.

By Representatives Heyman, Sanderson, and Lynn—

**HB 3191**—A bill to be entitled An act relating to termination of parental rights; amending s. 39.464, F.S.; providing an additional ground for termination of parental rights due to chronic history of abuse of drugs, controlled substances, or alcohol; providing a definition of the term “chronic”; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children, Children & Family Empowerment, and Health & Human Services Appropriations.

By Representative Starks—

**HB 3193**—A bill to be entitled An act relating to homeowners’ associations; amending s. 617.303, F.S.; prohibiting the commingling of certain funds; amending s. 617.307, F.S.; revising language with respect to the transition of homeowners’ association control in a community; providing a list of required documents which must be provided to the board by the developer; creating s. 617.3075, F.S.; providing for prohibited clauses in homeowners’ association documents; amending s. 689.26, F.S.; revising language with respect to disclosure to prospective purchasers; providing for the cancellation of certain contracts; providing for the inclusion of information on certain amenities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate and Community Affairs.

**HB 3195**—Withdrawn

By Representatives Wise and Bainter—

**HB 3197**—A bill to be entitled An act relating to proceedings that involve juveniles; creating the “Child Protection Act”; amending s.

39.401, F.S.; specifying circumstances under which an agent of the Department of Children and Family Services or a law enforcement officer may take a child into protective custody without a court order; requiring that the court conduct an emergency hearing within a specified period after a child is taken into custody; providing notice requirements; providing that it is a first degree misdemeanor for an agent of the department to take a child into custody without a court order except under specified circumstances; providing for the department to petition the court by sworn affidavit for an emergency order for protective custody; providing that it is a third degree felony for an agent of the department to make a false statement in the affidavit; amending s. 39.402, F.S.; limiting the period during which a child may be held in a shelter without a court order; providing requirements for the emergency shelter hearing; requiring the appointment of an attorney to represent the child's parent or guardian at the emergency shelter hearing; revising the period during which a child may be held in a shelter following an emergency shelter hearing; amending s. 39.404, F.S.; revising the time within which a petition for dependency must be filed after a child is taken into custody; requiring that the child's parent or guardian receive a copy of the petition before the hearing; amending s. 39.408, F.S.; revising the time within which an arraignment hearing must be held; providing that clear and convincing evidence is required to establish a child's dependency; amending s. 39.409, F.S.; providing for the child's parent or guardian or the county to be awarded attorney's fees and costs upon dismissal of a case alleging dependency; amending s. 415.5017, F.S.; requiring that all interviews with a child who is the subject of a report alleging abuse be audiorecorded or videotaped; amending s. 415.504, F.S.; providing additional requirements for an anonymous report of child abuse or neglect; amending s. 415.505, F.S.; requiring that the department show cause prior to a court order authorizing the department to examine and interview a child; amending s. 415.51, F.S.; providing for the name of a person who reports child abuse or neglect and a copy of the department's file on the case to be released to certain alleged perpetrators upon order of the court; amending s. 415.513, F.S.; providing a civil cause of action for a person falsely named as a perpetrator against the person who made the false report; amending s. 933.18, F.S.; deleting a provision authorizing a law enforcement officer to remove a child from a private dwelling; amending s. 985.211, F.S., relating to the release of a child from custody; conforming cross references to changes made by the act; amending s. 985.215, F.S.; providing for the detention hearing for a child to be held by means of closed circuit television; amending s. 39.415, F.S.; limiting the compensation awarded to an attorney appointed to represent a child's parent or guardian at an emergency shelter hearing; amending s. 57.111, F.S.; providing an award of attorney's fees to a prevailing parent; amending s. 61.16, F.S.; allowing an award of attorney's fees for a successful motion to gain access to the department's file; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representatives Dockery and Putnam—

**HB 3199**—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising the definition of "secondhand goods"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Regulation & Consumer Affairs.

By Representatives Starks, Trovillion, Byrd, Ball, Feeney, and Bloom—

**HB 3201**—A bill to be entitled An act relating to religious freedom; creating the "Religious Freedom Restoration Act of 1998"; providing that government shall not substantially burden the exercise of religion; providing exceptions; providing definitions; providing for attorney's fees and costs; providing applicability; providing construction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representatives Starks, Trovillion, Ball, Byrd, and Feeney—

**HJR 3203**—A joint resolution proposing an amendment to Section 3 of Article I of the State Constitution relating to religious freedom.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representatives Wiles, Thrasher, Smith, Gay, and Fasano—

**HB 3205**—A bill to be entitled An act relating to the National Guard; amending s. 250.10, F.S.; revising language with respect to payments under the educational tuition assistance program administered by the Department of Military Affairs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Colleges & Career Prep, Community Affairs, Finance & Taxation, and Education Appropriations.

By Representatives Wise, Arnold, and Edwards—

**HB 3207**—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; creating part II of chapter 491, F.S., to provide regulatory provisions applicable to social work practice that are separate from those applicable to marriage and family therapy and mental health counseling; creating the Board of Social Work Practice; providing for appointment and terms of members and location of headquarters; providing for rules; providing for different levels of licensure and practice; amending ss. 491.002, 491.003, 491.004, 491.0045, 491.0046, 491.0047, 491.005, 491.0057, 491.006, 491.0065, 491.007, 491.009, 491.0111, 491.0112, 491.012, 491.014, 491.0141, 491.0143, 491.0147, 491.0148, and 491.0149, F.S.; providing conforming changes; repealing s. 491.0145, F.S., relating to certified master social workers, to conform; repealing s. 491.015, F.S., relating to duties of the Department of Health as to certified master social workers, to conform; creating part I of the remaining provisions of chapter 491, F.S., as amended, to conform; revising membership of and providing for appointments to the Board of Marriage and Family Therapy and Mental Health Counseling, to conform; providing applicability to current licensees and certificateholders; amending ss. 20.43, 61.20, 394.455, 397.311, 397.405, 400.609, 408.07, 408.904, 409.906, 455.501, 455.597, 455.667, 455.677, 468.505, 490.00515, 490.012, 627.4195, 627.6471, 627.6472, 627.668, 627.9404, and 641.59, F.S.; correcting cross references, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform, Governmental Operations, and Health & Human Services Appropriations.

By Representative Wise—

**HB 3209**—A bill to be entitled An act relating to public records and meetings; amending s. 491.106, F.S.; providing for application of public records exemptions in ss. 455.621(2) and (10) and 455.707(3)(e) and (5)(a), F.S., to certain information concerning licensed master social workers and licensed bachelor social workers; providing for application of the public meetings exemption in s. 455.621(4), F.S., to proceedings of a probable cause panel with respect to investigations concerning such practitioners; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Governmental Operations.

By the Committee on Business Regulation & Consumer Affairs; Representatives Ogles, Brown, Chestnut, Crist, Dockery, and Lynn—

**HB 3211**—A bill to be entitled An act relating to real estate; amending s. 475.15, F.S.; providing registration and licensing

requirements for additional business entities; eliminating a conflicting provision relating to automatic cancellation of the registration of a real estate broker partnership; amending s. 475.17, F.S.; providing additional requirements for licensure as a real estate broker; amending s. 475.183, F.S.; revising the period after which involuntarily inactive licenses expire; revising the time for the required notice to the licensee; amending s. 475.25, F.S.; increasing the administrative fine; revising a ground for disciplinary action to exempt licensees from the reporting of certain violators; providing that violations of certain standards of the Appraisal Foundation are grounds for the Florida Real Estate Commission to deny, revoke, or suspend the license of, or to fine, real estate brokers or salespersons; reenacting ss. 475.180(2)(b), 475.181(2), 475.22(2), 475.422(2), and 475.482(1), F.S., relating to nonresident licenses, licensure, refusal of a broker to comply with certain requests or notices, furnishing of copies of termite and roof inspection reports, and recovery from the Real Estate Recovery Fund, to incorporate the amendment to s. 475.25, F.S., in references thereto; amending s. 475.272, F.S.; deleting a provision that restricts a real estate licensee to operating as a single agent or as a transaction broker; amending s. 475.278, F.S.; revising provisions relating to disclosure of authorized brokerage relationships and the corresponding duties of real estate licensees; amending s. 475.451, F.S.; revising provisions relating to the permitting of instructors for proprietary real estate schools or state institutions; providing permit renewal requirements; revising references relating to examinations; amending s. 475.452, F.S.; providing requirements applicable to advance expenses, commissions, or fees for brokers auctioning real property; amending s. 475.484, F.S.; providing applicability with respect to a conflict with federal law in the disciplining of certain licensees against whom a judgment has been paid from the Real Estate Recovery Fund; creating s. 475.5016, F.S.; granting the department authority to inspect and audit brokers and brokerage offices; amending ss. 475.611 and 475.612, F.S.; redesignating registered appraisers as registered assistant appraisers; amending ss. 475.01, 475.011, 475.616, 475.618, 475.619, 475.620, 475.622, 475.623, 475.626, 475.627, 475.628, 475.629, and 475.630, F.S., to conform and correct references; creating s. 475.6145, F.S.; providing for a seal for the Florida Real Estate Appraisal Board to authenticate its proceedings, records, and acts; creating s. 475.6147, F.S.; providing a separate section relating to establishment of fees applicable to the regulation of real estate appraisers; amending s. 475.615, F.S.; revising provisions relating to qualifications for registration, licensure, or certification of appraisers; providing for a charge for application for a change in status of appraisal licensure; amending s. 475.617, F.S.; revising continuing education and experience requirements for real estate appraisers; amending s. 475.624, F.S.; revising a ground for disciplinary action to exempt licensees from the reporting of certain violators; creating s. 475.6295, F.S.; granting the department authority to inspect appraisers and appraisal offices; amending s. 553.991, F.S.; limiting the purpose of the "Florida Building Energy-Efficiency Rating Act" to providing for a statewide uniform system for rating the energy efficiency of buildings; amending s. 553.994, F.S.; deleting the schedule for phasing in the rating system; amending s. 553.996, F.S.; requiring provision of an information brochure to prospective purchasers of certain real property; deleting a provision authorizing such prospective purchasers to receive a rating on the property upon request; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate, Community Affairs, and General Government Appropriations.

By Representatives Wise, Valdes, Thrasher, Melvin, Feeney, Ziebarth, Dockery, Wallace, Flanagan, Smith, Fasano, Trovillion, Putnam, Byrd, Bainter, Maygarden, Bitner, Lacasa, Littlefield, Bronson, Brooks, Andrews, Arnall, Futch, Gay, Villalobos, Fuller, Garcia, Rodriguez-Chomat, Harrington, Barreiro, Argenziano, Merchant, Sanderson, Albright, Ball, Burroughs, K. Pruitt, and Kelly—

**HB 3213**—A bill to be entitled An act relating to education; creating a public-private partnership pilot program; providing intent and definitions; providing eligibility requirements for private schools and nonprofit organizations; providing for flexibility in educating students;

providing for payment of funds; requiring certain funds to be sent to a direct-support organization for specified use; providing student enrollment requirements; providing for rules; requiring the Department of Education to establish a choice information center; requiring legislative review; requiring reports; providing for severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Culp—

**HB 3215**—A bill to be entitled An act relating to corrections; requiring a state correctional institution, or the Department of Corrections acting in its behalf, to seek reimbursement for costs of incarceration for a prisoner, including certain medical and dental expenses, which have not been reimbursed as otherwise provided by law; specifying order of sources of reimbursement; providing for deduction of the costs from the prisoner's cash account, placement of a lien against the account or the prisoner's other personal property, or reimbursement from the proceeds of the prisoner's insurance policy, health care corporation proceeds, or other source; providing that the lien may be carried over to future incarceration under certain circumstances; requiring the prisoner to cooperate with such reimbursement efforts; providing for sanctions in case of willful refusal to cooperate, including placement of a lien against the prisoner's cash account or other personal property and ineligibility to receive gain-time; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Corrections and Criminal Justice Appropriations.

By Representatives Murman and Feeney—

**HB 3217**—A bill to be entitled An act relating to the privatization of foster care and related services; amending s. 409.1671, F.S.; providing legislative intent; defining the terms "privatize" and "related services"; requiring the Department of Children and Family Services to develop a plan to accomplish statewide privatization within a specified time period and to submit the plan to the Governor and to designated legislative officials by a specified date; requiring the department to state whether and why privatization is infeasible in a particular district and how the department will address the obstacles to its feasibility; providing requirements for and restrictions upon funding for privatization; providing for a model program to be initiated in a specified district; requiring the department to contract with the sheriffs in that district for the provision of protective investigative services; providing for funding; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children and Health & Human Services Appropriations.

By Representative Morroni—

**HB 3219**—A bill to be entitled An act relating to homestead exemption; amending s. 196.161, F.S.; authorizing the property appraiser to waive penalty and interest when a person who is not entitled to homestead exemption has benefited from an exemption for which a prior owner made application; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Rodriguez-Chomat—

**HB 3221**—A bill to be entitled An act relating to sexual predators who commit offenses against children; amending s. 775.21, F.S., the Florida Sexual Predators Act; imposing additional requirements with respect to public notification of the presence of a sexual predator who has committed one or more specified offenses against a child; requiring the Department of Corrections and other governmental or private agencies or entities having custody, control, or supervision over such sexual predator to provide certain advance notification to the local governing

body of the community, and chief of police of the municipality or sheriff of the county, where the sexual predator intends to temporarily or permanently reside upon release; requiring the sexual predator to provide certain notice to the local governing body and chief of police of the municipality or sheriff of the county within a specified period after release; requiring a sexual predator entering the state to provide certain notice to the Department of Law Enforcement within a specified period; prohibiting violation of certain notice requirements imposed on such sexual predator; providing penalties; reenacting s. 943.0435(5), F.S., relating to required reports by sex offenders and penalties, to incorporate said amendment in a reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment and Criminal Justice Appropriations.

By Representative Dockery—

**HB 3223**—A bill to be entitled An act relating to land platting; amending s. 177.031, F.S.; defining terms relating to platting; amending s. 177.041, F.S.; requiring plats and replats of subdivisions submitted for approval to be accompanied by a boundary survey of the platted lands; amending s. 177.051, F.S.; revising provisions relating to naming and replatting subdivisions; amending s. 177.061, F.S.; providing requirements for the recording of a plat; amending s. 177.071, F.S.; revising provisions relating to approval of plats by governing bodies; amending s. 177.081, F.S.; requiring plats to be reviewed by a professional surveyor and mapper before approval by a governing body; amending s. 177.091, F.S.; providing requirements for monuments and revising other requirements of plats made for recording; amending s. 177.101, F.S.; providing for the vacation and annulment of prior plats; amending s. 177.141, F.S.; revising provisions relating to affidavits confirming errors on recorded plats; amending s. 177.151, F.S.; revising provisions relating to state plane coordinates; amending ss. 177.021, 177.121, 177.131, 177.132, 177.27, 177.38, F.S.; conforming references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate.

By Representative Murman—

**HB 3225**—A bill to be entitled An act relating to enterprise zones; authorizing tax credits to a certain business; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Wise, Chestnut, and Harrington—

**HB 3227**—A bill to be entitled An act relating to substance abuse services; amending s. 397.311, F.S.; redefining the term “qualified professional” for purposes of providing certain substance abuse assessment or treatment services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children and Health Care Standards & Regulatory Reform.

By Representatives Thrasher, Feeney, Minton, Arnall, Stabins, Ogles, Wiles, Bitner, Byrd, Murman, Peaden, Fuller, Putnam, Spratt, Smith, Fasano, Eggelton, Gay, Crady, Flanagan, King, Ritchie, Constantine, Goode, Futch, and Heyman—

**HB 3229**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.051, F.S.; providing an exemption for certain processes, facilities, equipment, and machinery used for pollution prevention or control, and for structures or equipment associated with replacement thereof; providing for certification by the Department of Environmental Protection; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Environmental Protection, Finance & Taxation, and General Government Appropriations.

By Representatives Burroughs, Horan, and Melvin—

**HB 3231**—A bill to be entitled An act relating to rural hospitals; amending ss. 395.602 and 408.07, F.S.; revising a definition; requiring a study; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform.

By Representatives Jacobs and D. Prewitt—

**HB 3233**—A bill to be entitled An act relating to food products; amending s. 500.04, F.S.; prohibiting the sale, the delivery for sale, or the offering for sale of repackaged or rewrapped raw meat, fish, or poultry that does not display specified labeling; reenacting s. 500.177(1), F.S., relating to the penalty for violation of s. 500.04, F.S., to incorporate the amendment to s. 500.04, F.S., in a reference thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Agriculture, Crime & Punishment, and Business Development & International Trade.

By Representatives Morroni, Heyman, Fasano, and D. Prewitt—

**HB 3235**—A bill to be entitled An act relating to persons with disabilities; amending s. 526.141, F.S.; requiring the placement of specified signs at self-service gasoline stations for the purpose of identifying gasoline pumps used to provide services to persons with disabilities; providing requirements for the design and location of such signs; providing a penalty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Stabins and Fasano—

**HB 3237**—A bill to be entitled An act relating to bingo; amending s. 849.0931, F.S., which provides requirements for the conduct of bingo; revising definitions; providing requirements with respect to the conduct of bingo by members of charitable, nonprofit, or veterans' organizations; prohibiting tipping of persons conducting bingo games; revising requirements relating to prizes, days and times when bingo may be conducted, and players' responsibilities; prohibiting video or computerized bingo cards; specifying construction regarding prosecution of persons conducting unauthorized bingo; specifying that counties and municipalities may impose stricter regulations and adopt certain zoning ordinances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Regulated Services.

By Representatives Thrasher, Lippman, Bainter, Safley, Mackey, and Feeney—

**HB 3239**—A bill to be entitled An act relating to securities transactions; amending s. 517.021, F.S.; revising certain definitions; amending s. 517.051, F.S.; specifying additional securities as exempt from certain registration requirements; specifying priority of application; amending s. 517.061, F.S.; clarifying the exemption of certain securities in certain transactions from registration requirements; specifying additional transactions as exempt from certain registration requirements; amending ss. 517.081, 517.082, and 517.12, F.S.; authorizing the Department of Banking and Finance to adopt certain rules for electronic deposits and filings; correcting a cross reference; including certain notice filing requirements within application of certain registration provisions; requiring certain dealers to comply with net capital and ratio requirements; providing application; creating s. 517.1201, F.S.; specifying notice filing requirements for federal covered advisers; prohibiting certain activities; providing for certain fees; authorizing the Department of Banking and Finance to adopt rules; providing for permits for certain purposes;

amending ss. 517.1205 and 517.131, F.S.; including federal covered advisers within application of certain registration requirements; amending s. 517.161, F.S.; specifying additional conditions for denial, revocation, restriction, or suspension of certain registrations; amending s. 517.302, F.S.; providing for additional uses of moneys in the Anti-Fraud Trust Fund; amending s. 517.311, F.S.; clarifying application of false representation and deceptive words proscriptions to notice filings; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Financial Services.

By Representatives Meek, Miller, and Heyman—

**HB 3241**—A bill to be entitled An act relating to firearms; amending s. 790.001, F.S.; defining the term “locking device”; amending s. 790.174, F.S.; providing that a locking device may be used for the purpose of lawfully storing a firearm within access of a minor, as defined; requiring a person to secure a firearm with a locking device under specified circumstances when the firearm is left or stored on premises where such minor resides; providing penalties for failure to store or leave the firearm in the required manner, under specified circumstances; creating s. 790.0657, F.S., relating to purchase and delivery of handguns; providing definitions; prohibiting a person who is not a licensed firearms dealer from purchasing more than one handgun within a 30-day period; providing penalties; providing exceptions to the limitation on the number of handguns purchasable by nondealers within the 30-day period; providing for special application procedures under exceptional circumstances; providing duties of the Department of Law Enforcement and prospective purchasers; providing for adoption of rules; providing for nonapplicability of specified provisions to certain persons or entities authorized or licensed to perform law enforcement, correctional, or private security duties; providing for nonapplicability of the provisions to purchase of antique firearms or to replacement of stolen or lost handguns; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety, Crime & Punishment, Governmental Rules & Regulations, and Criminal Justice Appropriations.

By Representatives Thrasher, Ritter, Bradley, Cosgrove, Flanagan, Byrd, Burroughs, and Feeney—

**HB 3243**—A bill to be entitled An act relating to evidence; amending s. 90.803, F.S.; revising an exception to the prohibition against hearsay evidence; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Livingston, Casey, Smith, Byrd, Kelly, Heyman, Ogles, Arnold, Culp, Hafner, Crow, Brown, Fasano, Bainter, Cosgrove, Flanagan, D. Prewitt, Sembler, Edwards, Albright, Morroni, Jones, Andrews, Brennan, Goode, Kosmas, Jacobs, Dockery, and Harrington—

**HB 3245**—A bill to be entitled An act relating to the Florida Mobile Home Act; amending s. 723.003, F.S.; revising the definition of “pass-through charge”; amending s. 723.071, F.S., relating to the sale of a mobile home park; revising provisions with respect to a bona fide offer of purchase made to a mobile home park owner; providing for rights of mobile home owners when such an offer of purchase includes other property or more than one mobile home park; revising the definition of the term “affiliate”; amending s. 723.072, F.S.; correcting cross references; amending s. 723.078, F.S., relating to bylaws of homeowners’ associations; revising provisions relating to the number of members which constitutes a quorum; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate.

By Representative Argenziano—

**HB 3247**—A bill to be entitled An act relating to forensic client services; amending s. 40.29, F.S., relating to estimated amount of pay

for expert witnesses, to conform a reference; amending s. 393.11, F.S.; specifying persons or entities that may file petition for proposed involuntary admission to residential services arising out of ch. 916, F.S., relating to forensic services; providing for petitions for defendants with autism; revising requirements relating to notice of filing of petition or service of copy of order; prohibiting release from order for involuntary admission except by court order; amending and reorganizing ch. 916, F.S., the Forensic Client Services Act; creating pt. I of ch. 916, F.S.; providing general provisions of the chapter; amending s. 916.105, F.S.; revising legislative intent; amending s. 916.106, F.S.; providing or revising definitions with respect to ch. 916, F.S.; redefining “department” to refer to the Department of Children and Family Services in lieu of the Department of Health and Rehabilitative Services; amending s. 916.107, F.S.; revising state policy with respect to the rights of forensic clients, and conforming terminology; amending and renumbering s. 916.175, F.S., relating to criminal escape by a client; prohibiting escape or attempted escape from a facility or program by a client under specified circumstances, and providing penalties therefor; amending and renumbering s. 916.178, F.S.; prohibiting the introduction of certain articles into or upon, or the taking or attempt to take or send certain articles from, facility grounds, under specified circumstances, and providing penalties therefor; providing for enforcement by institutional security personnel or law enforcement officers; conforming a reference; amending and renumbering s. 916.19, F.S.; providing for client protection and security; renumbering s. 916.20, F.S., relating to departmental rulemaking; creating pt. II of ch. 916, F.S., relating to forensic services for persons who are mentally ill; amending and renumbering s. 916.108, F.S.; providing for evaluation of defendant for competency to proceed or for sanity, under specified circumstances; amending and renumbering s. 916.11, F.S.; revising time limits and guidelines relating to appointment of experts; amending s. 916.12, F.S.; providing duties of examining experts and guidelines with respect to reports on defendant’s mental competence to proceed and recommended treatment for defendant to attain competence to proceed; amending s. 916.13, F.S.; providing criteria for involuntary commitment of defendant adjudicated incompetent to proceed due to mental illness; revising duties of the court or the department and guidelines relating to commitment and placement of defendant and filing of reports; amending s. 916.14, F.S.; providing for inapplicability of statute of limitations and of bar against former jeopardy under specified circumstances when defendant is incompetent to proceed; amending s. 916.145, F.S.; revising time limits and guidelines with respect to dismissal of charges against a defendant adjudicated incompetent to proceed; providing for dismissal without prejudice under specified circumstances; amending s. 916.15, F.S., relating to involuntary commitment of defendant adjudicated not guilty by reason of insanity; conforming terminology; providing for mandatory departmental retention and treatment of defendant; reenacting s. 394.467(7)(a), F.S., relating to procedure for continued involuntary placement, to incorporate said amendment in a reference; amending s. 916.16, F.S.; providing for retention of jurisdiction by committing court over a defendant hospitalized as incompetent to proceed or because of a finding of not guilty by reason of insanity or over a defendant placed on conditional release; prohibiting release except by court order in specified circumstances; amending s. 916.17, F.S.; revising procedures and guidelines relating to conditional release and modification of release conditions, including filing requirements for plans for outpatient treatment; creating pt. III of ch. 916, F.S., relating to forensic services for persons who are mentally retarded or autistic; creating s. 916.301, F.S.; providing for appointment of experts who are mental retardation or autism professionals, under specified circumstances; providing for certain witness fees and evaluator fees as court costs; providing for reimbursement of certain travel and per diem expenses of state employees; creating s. 916.3012, F.S.; providing for determination of incompetence to proceed when the defendant’s suspected mental condition is mental retardation or autism; creating s. 916.302, F.S.; providing for involuntary commitment of defendant determined to be incompetent to proceed due to mental retardation or autism; requiring the department to notify the court of transfer of a defendant; creating s. 916.3025, F.S.; providing for retention of jurisdiction over certain defendants found incompetent to proceed and ordered into a secure facility for mentally retarded or autistic

defendants; prohibiting release except by court order; creating s. 916.303, F.S.; providing for dismissal of charges without prejudice or involuntary admission to residential services or a training program under specified circumstances when the defendant is found incompetent to proceed due to mental retardation or autism; providing for petitions to continue defendant's placement in a secure facility or program under specified circumstances; creating s. 916.304, F.S.; providing for conditional release based on an approved plan for providing continuing community-based training of defendant; providing for modification of release conditions or termination of jurisdiction under specified circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Elder Affairs & Long Term Care, Family Law & Children, Crime & Punishment, and Health & Human Services Appropriations.

By Representative Fasano—

**HB 3249**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; including steam within the exemption for electricity used in certain manufacturing and related operations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Development & International Trade, Finance & Taxation, and General Government Appropriations.

By Representatives Boyd, Bronson, Crady, Minton, Littlefield, and Feeney—

**HB 3251**—A bill to be entitled An act relating to wildlife; amending s. 372.57, F.S.; providing for a recreational user permit fee to hunt, fish, or otherwise use for outdoor recreational purposes, land leased by the Game and Fresh Water Fish Commission from private nongovernmental owners; providing for the setting of the fee by rule; providing for exceptions to the application of the fee; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Water & Resource Management, Finance & Taxation, and General Government Appropriations.

By Representatives Minton and Morse—

**HB 3253**—A bill to be entitled An act relating to opticianry; amending s. 484.002, F.S.; updating the definition of "department"; defining the term "refracting optician" and revising the definition of "opticianry," to conform; authorizing refracting opticians to prescribe corrective lenses under certain circumstances; reenacting s. 484.011, F.S., relating to supportive personnel, to incorporate the amendment to s. 484.002, F.S., in a reference thereto; amending s. 484.005, F.S.; granting the Board of Opticianry authority to adopt rules relating to a standard of practice for refracting opticians and the minimum equipment required to perform their work; amending s. 484.012, F.S.; requiring prescriptions by refracting opticians to be kept on file for a specified period; reenacting s. 484.013(1)(c), F.S., relating to prohibitions, to incorporate the amendment to s. 484.012, F.S., in a reference thereto; amending s. 484.013, F.S.; prohibiting opticians from engaging in the diagnosis of the medical condition of the human eyes or attempting to prescribe for or treat diseases or ailments of human beings, except for the prescribing of corrective lenses; providing a penalty; amending s. 484.014, F.S.; correcting a cross reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform, Governmental Rules & Regulations, and Health & Human Services Appropriations.

By Representatives Sindler, Safley, Feeney, Betancourt, Murman, Fischer, Merchant, Saunders, Casey, Rojas, Littlefield, Wise, Heyman, and Fasano—

**HB 3255**—A bill to be entitled An act relating to court costs to fund law enforcement programs; creating s. 938.06, F.S.; imposing an additional court cost on fines for criminal offenses in county and circuit courts; authorizing the courts to increase the amount under certain conditions; providing for deposit in the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing for distribution of such funds in the trust fund by the Department of Legal Affairs to counties to support official Crime Stoppers and their programs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety, Finance & Taxation, and Criminal Justice Appropriations.

By Representatives Sindler, Casey, Feeney, Murman, Betancourt, Fischer, Merchant, Saunders, Rojas, Melvin, Safley, Littlefield, Wise, Heyman, and Fasano—

**HB 3257**—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing a third degree felony penalty for a third or subsequent conviction for driving under the influence; increasing present fines and penalties to conform; amending s. 921.0022, F.S.; conforming provisions in the sentencing guidelines; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment and Criminal Justice Appropriations.

By Representatives Wasserman Schultz and Heyman—

**HB 3259**—A bill to be entitled An act relating to condominiums; amending s. 718.115, F.S.; authorizing condominium households receiving supplemental security income or food stamps to discontinue cable television service without fees, penalties, or service charges; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate, Business Regulation & Consumer Affairs, and Governmental Rules & Regulations.

By Representatives Culp, Trovillion, and Effman—

**HB 3261**—A bill to be entitled An act relating to telecommuting; repealing s. 3 of ch. 94-113, Laws of Florida; abrogating the repeal of s. 110.171, F.S., which establishes the state employee telecommuting program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representatives Bronson, Fasano, Heyman, and Feeney—

**HB 3263**—A bill to be entitled An act relating to robbery; amending s. 812.13, F.S.; redefining the offense of robbery to include robbery by sudden snatching; defining "sudden snatching"; providing for reclassification of the offense to a higher degree under specified circumstances when the offender carried a firearm or other deadly weapon; providing penalties; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense levels; providing for ranking of robbery by sudden snatching within the level 5 category of the offense severity ranking chart; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Ziebarth, Heyman, and Wiles—

**HB 3265**—A bill to be entitled An act relating to boater safety; amending s. 327.35, F.S.; lowering the amount of alcohol required with

respect to certain boating under the influence infractions; creating s. 327.35215, F.S.; providing penalties for failure to submit to a breath test or urine test; creating s. 327.35216, F.S.; providing for the suspension of the privilege to operate a vessel for persons who are under 21 years of age under certain circumstances; amending s. 327.395, F.S.; revising language with respect to boater safety identification cards issued by the Department of Environmental Protection; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety.

By Representative Ziebarth—

**HB 3267**—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.08058, F.S.; providing for a generic collegiate specialty license plate for independent universities and community colleges in the state; providing for an individual decal representing the specific independent university or community college; reducing the number of signatures required to be obtained for the issuance of such specialty plates; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation, Finance & Taxation, and Transportation & Economic Development Appropriations.

By Representative Gay—

**HB 3269**—A bill to be entitled An act relating to special districts; amending s. 189.405, F.S.; providing that candidates for the governing board of certain single-county and multicounty special districts shall qualify in accordance with ch. 99, F.S.; amending s. 189.429, F.S., and s. 15, ch. 97-256, Laws of Florida, which require special districts, including fire control districts, to submit draft codified charters to the Legislature; revising the deadline and requirements for such codification; providing that the Legislature may adopt a schedule for codification; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs.

By Representative Lippman—

**HB 3271**—A bill to be entitled An act relating to grand juries; amending s. 905.01, F.S.; increasing the maximum number of persons which may be appointed to serve on a grand jury; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and Crime & Punishment.

By Representatives Merchant and Fasano—

**HB 3273**—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Conserve Wildlife license plate; providing for the distribution of annual use fees received from the sale of such license plates; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation, Finance & Taxation, and Transportation & Economic Development Appropriations.

By Representative Arnall—

**HB 3275**—A bill to be entitled An act relating to worthless checks; creating s. 832.09, F.S.; providing for the suspension of a driver's license with respect to certain persons who do not fulfill an agreement for a bad check diversion program or against whom a warrant or capias is issued in a worthless check case; amending s. 322.251, F.S.; providing for notification; providing for conditions for reinstatement; providing a fee; directing the Department of Highway Safety and Motor Vehicles and the

Department of Law Enforcement to develop and implement a plan; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment, Transportation, and Transportation & Economic Development Appropriations.

By Representative Betancourt—

**HB 3277**—A bill to be entitled An act relating to the Work and Gain Economic Self-Sufficiency Act; amending s. 414.025, F.S.; revising legislative intent; amending s. 414.027, F.S.; including marketable skills within accountability criteria in the statewide implementation plan; amending s. 414.065, F.S.; revising criteria for using vocational education or training and education services related to employment; revising an exception to a penalty for noncompliance; revising prioritization of work requirements; revising use of contracts applications; amending s. 414.105, F.S.; revising criteria for hardship exemptions to time limitations of temporary assistance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children, Children & Family Empowerment, Business Development & International Trade, Community Colleges & Career Prep, and Health & Human Services Appropriations.

By Representative Betancourt—

**HB 3279**—A bill to be entitled An act relating to offenses involving the obstruction of law enforcement; amending s. 843.08, F.S.; reclassifying or increasing the penalties for the offenses of falsely assuming or pretending to be, or falsely personating, an officer of the Florida Highway Patrol, Game and Fresh Water Fish Commission, Department of Environmental Protection, Department of Transportation, or Department of Corrections, a correctional probation officer, sheriff or deputy sheriff, state attorney or assistant state attorney, statewide prosecutor or assistant statewide prosecutor, state attorney investigator, coroner, police officer, lottery special agent or lottery investigator, beverage enforcement agent or watchman, member of the Parole Commission or administrative aide or supervisor employed by the commission, or any personnel or representative of the Department of Law Enforcement; providing that such false assumption or pretense is a felony of the second degree; providing that such false personation during the course of the commission of a felony is a felony of the first degree; providing that such false personation during the commission of a felony which results in the death or personal injury of another human being is a felony of the first degree punishable by life imprisonment; providing penalties; amending s. 843.081, F.S., relating to the offense of use in or on a nongovernmentally owned vehicle or vessel of a flashing or rotating blue light by a person other than a specified law enforcement officer or special officer for a railroad or common carrier; providing that such offense is a felony of the third degree; providing penalties; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart; removing a nonconforming reference; providing for ranking of the offenses; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment, Civil Justice & Claims, and Criminal Justice Appropriations.

By Representatives Greene and Jacobs—

**HB 3281**—A bill to be entitled An act relating to the Florida Housing Finance Corporation; amending s. 420.5099, F.S.; requiring that the corporation allocate a portion of low-income housing tax credits under the Internal Revenue Code to projects involving qualified nonprofit organizations; providing responsibilities of such organizations; defining such organizations; providing applicability to certain previously

approved projects and requiring compliance; providing a retroactive effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Finance & Taxation.

By Representatives Andrews, Greene, Feeney, Bainter, Futch, Sanderson, and Lacasa—

**HB 3283**—A bill to be entitled An act relating to local government planning; creating s. 163.3182, F.S.; requiring each district school board to meet annually with the board of county commissioners and with municipal governing bodies to plan for educational facilities; providing for notice; requiring a report; providing for arbitration; providing a penalty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs.

By Representatives Clemons, Heyman, Crow, Burroughs, Wiles, Crist, and Fasano—

**HB 3285**—A bill to be entitled An act relating to adjudication of guilt; creating s. 775.0844, F.S.; prohibiting the withholding of adjudication for certain defendants accused of committing a felony offense; providing exceptions; providing definitions; repealing Rule 3.670, Florida Rules of Criminal Procedure, relating to rendition of judgment, to the extent of inconsistency with the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment, Civil Justice & Claims, and Criminal Justice Appropriations.

By Representative Gay—

**HB 3287**—A bill to be entitled An act relating to affordable housing; amending s. 420.0005, F.S.; clarifying application of certain provisions to the State Housing Fund; amending s. 420.0006, F.S.; specifying an additional requirement for contracts with the Florida Housing Finance Corporation; providing duties of the Comptroller relating to certain advances to the corporation; amending s. 420.503, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.504, F.S.; providing for alternative public notice; providing the corporation with limited benefits of sovereign immunity; deleting a definition; amending s. 420.507, F.S.; including services within certain procurement requirement provisions; authorizing the corporation to mortgage certain property; deleting a budget limitation on certain programs; providing additional powers of the corporation; amending s. 420.5087, F.S.; clarifying application of the state fiscal year; amending s. 420.5088, F.S.; expanding availability of certain program funds; amending s. 420.5089, F.S.; deleting a requirement for certain program fund loan commitments under certain circumstances; amending s. 420.509, F.S.; clarifying application of provisions for public sale of corporation bonds; amending s. 420.511, F.S.; revising requirements for the corporation's business plan for affordable housing; amending s. 420.512, F.S.; limiting application of a term for certain purposes; amending s. 420.528, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.9071, F.S.; correcting a cross reference; clarifying application to the corporation's fiscal year; amending ss. 420.9073 and 420.9079, F.S.; clarifying application to the state fiscal year; repealing s. 420.504(8), F.S., relating to certain liability of members of the board of directors of the corporation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Transportation & Economic Development Appropriations.

By the Committee on Regulated Services; Representative Morroni—

**HB 3289**—A bill to be entitled An act relating to the state lottery; amending s. 24.105, F.S., relating to player activated vending machines;

requiring a certain number of clerks to be on duty at certain lottery retailer locations; amending s. 24.111, F.S.; deleting the requirement that the Department of the Lottery lease all instant vending machines for a specified initial evaluation period; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Economic Impact Council.

By Representatives Valdes, Garcia, Morse, Barreiro, Logan, Bush, Meek, Lynn, Posey, Wasserman Schultz, Sanderson, Eggleton, Littlefield, Bradley, Smith, Betancourt, Villalobos, Lacasa, Bullard, Stabins, Geller, Rayson, Greene, Mackenzie, Mackey, Trovillion, Wise, Bainter, Heyman, Jacobs, Wallace, Healey, Burroughs, Ziebarth, Sublette, Murman, and Kelly—

**HB 3291**—A bill to be entitled An act relating to public rights-of-way; creating s. 337.4011, F.S., creating the "Telecommunications Rights-of-Way Act"; creating s. 337.4012, F.S., providing legislative findings and intent; creating s. 337.4013, F.S., providing definitions; creating s. 337.4014, F.S., providing requirements with respect to consent necessary for the use of streets and public rights-of-way; creating s. 337.4015, F.S., providing for permissible taxes, fees, and charges; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Utilities & Communications, Community Affairs, and Finance & Taxation.

By Representative Barreiro—

**HB 3293**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.06, F.S.; providing an exemption for the sale, use, consumption, or storage of tangible personal property within a specified area if the property is purchased by certain cruise passengers; defining "specified area"; providing requirements for such purchases; requiring the purchaser to furnish certain information under oath to the dealer; providing penalties; specifying transactions to which the exemption does not apply; requiring that the property be removed from the state within a specified period; providing for application of use tax and a penalty if the property is not removed from the state; providing responsibilities of persons transporting persons for hire in foreign commerce; providing for issuance of a cruise arrival-departure card to passengers; providing card requirements; requiring notification to the Department of Revenue of any card issued to a person who is not a cruise passenger; requiring maintenance of records; providing a penalty for issuance of a fraudulent card for the purpose of evading tax; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Tourism, Finance & Taxation, and Transportation & Economic Development Appropriations.

By Representatives Trovillion, Fasano, Bloom, Wise, Constantine, Burroughs, Livingston, and Kelly—

**HB 3295**—A bill to be entitled An act relating to fire prevention and control; amending s. 633.537, F.S.; changing expiration and renewal of certificates of competency for fire protection contractors from an annual to a biennial basis; revising continuing education requirements and providing transitional continuing education requirements, to conform; amending s. 633.524, F.S.; increasing the renewal fee, to conform; amending s. 633.60, F.S., relating to engaging in the business or acting in the capacity of a contractor of automatic fire sprinkler systems, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Regulation & Consumer Affairs.

**HJR 3297**—Withdrawn

By Representatives Argenziano, Stabins, K. Pruitt, Bainter, Crady, Dockery, Fasano, Smith, Kosmas, and Ziebarth—

**HB 3299**—A bill to be entitled An act relating to a refund of excess utility payments; requiring the Comptroller to provide a refund to certain utility customers who paid more under a uniform rate structure than those customers would have paid under a modified stand-alone rate structure; requiring the Public Service Commission to notify utility customers who are eligible for a refund; providing requirements for applying for a refund; requiring the Comptroller to verify eligibility for a refund; providing for the refund of utility payments to be funded from the Public Service Commission Regulatory Trust Fund; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Utilities & Communications and Transportation & Economic Development Appropriations.

By Representatives Betancourt, Fasano, and Lynn—

**HB 3301**—A bill to be entitled An act relating to domestic violence; amending s. 25.385, F.S.; redefining the term “domestic violence” for purposes of training provided by the Florida Court Educational Council; amending s. 61.13, F.S.; prohibiting the court from awarding visitation rights to a parent who has been convicted of a capital felony or a first-degree felony that involved domestic violence; providing certain exceptions; requiring that the Supreme Court require judges who hear cases involving domestic violence to attend educational programs on domestic violence; requiring the Florida Court Education Council to develop the programs; requiring that the Office of State Courts Administrator report to the Governor and Legislature on the programs; requiring that The Florida Bar report on its courses of continuing legal education on domestic violence; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children, Civil Justice & Claims, and Criminal Justice Appropriations.

By Representative Brown—

**HB 3303**—A bill to be entitled An act relating to county court assessments; amending s. 34.191, F.S.; providing that the county commission may assign the collection of fines, court costs, and other costs imposed by the county court and remaining unpaid after a certain period to a private attorney or collection agency under specified circumstances; providing for authorization by the county commission of any additional fee to offset collection costs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims, Community Affairs, and General Government Appropriations.

By Representatives Burroughs, Fasano, and Brown—

**HB 3305**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the activities and industries to which the exemption for electricity used in certain manufacturing and related operations applies; specifying a threshold for use of electricity to qualify for exemption; deleting a requirement relating to separate metering of such electricity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Development & International Trade, Finance & Taxation, and General Government Appropriations.

By Representatives Gay and Livingston—

**HB 3307**—A bill to be entitled An act relating to beverage taxes; amending s. 1, ch. 97-213, Laws of Florida, which provides that the surcharge on the sale of alcoholic beverages for consumption on the

premises shall be repealed if certain collections under the beverage laws exceed a specified amount in 1998; providing that taxes and benefits generated by the restaurant industry from employment of WAGES program participants shall be included in those collections; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Fischer and Morrioni—

**HB 3309**—A bill to be entitled An act relating to education; amending s. 229.58, F.S.; revising provisions relating to membership of school advisory councils; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education/K-12, Governmental Rules & Regulations, and Education Appropriations.

By Representative Saunders—

**HB 3311**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information contained in a notification of an adverse incident provided to the Agency for Health Care Administration by a facility licensed under ch. 395, F.S.; providing that such information is not discoverable or admissible in a civil action or administrative proceeding unless such action or proceeding is a disciplinary proceeding conducted by the agency or a regulatory board; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Governmental Operations.

By Representative Ritter—

**HB 3313**—A bill to be entitled An act relating to eminent domain; amending s. 73.021, F.S.; providing that other actions relating to condemned property may be included in eminent domain actions; providing for joint condemnation actions by two or more condemning authorities; amending s. 73.032, F.S.; providing preemption for rules of the Florida Supreme Court relating to offers of judgment; providing that any party may serve an offer of judgment regardless of the amount at issue; deleting a provision authorizing a defendant to make offers to enter judgment under \$100,000; expanding contents of an offer of judgment; excluding attorney's fees in determining certain costs; amending s. 73.051, F.S.; providing for filing written defenses to eminent domain petitions after entry of an order of taking; amending s. 73.0511, F.S.; requiring a fee owner's counsel to be provided prelitigation notice; requiring notice of the Department of Environmental Protection or water management districts; amending s. 73.071, F.S.; requiring a defendant claiming fixtures or trade fixture damages to provide an inventory identifying the items claimed; clarifying the determination of enhancement values in setoff of severance damages; requiring consideration of certain cleanup costs and sources in determining the value of property; prohibiting recovery of special damages under certain circumstances; limiting business damages to parties with an actual ownership interest in the property taken; providing criteria; creating s. 73.074, F.S.; providing for the valuation and apportionment of awards relating to condominium units and condominium common elements; creating s. 73.075, F.S.; providing legislative findings; creating s. 73.076, F.S.; providing standards for discovery of documents, property visits, and other items; authorizing presuit settlement offers by the condemning authority and each owner; providing procedures; providing sanctions for failure to comply with presuit discovery requirements; creating s. 73.077, F.S.; providing for court ordered mediation; requiring monetary claims to be quantified before mediation; requiring parties to exchange valuation reports and summaries before mediation; providing sanctions for failure to comply with court ordered mediation; amending s. 73.091, F.S.; providing a definition; requiring payment of costs incurred in a sale in settlement of

pending condemnation; prohibiting award of certain fees and costs; excluding recovery of certain costs; amending s. 73.092, F.S.; providing for attorney's fees based on certain criteria; providing a definition; requiring the filing of certain information by a condemnee's attorneys; requiring a defendant's attorney to provide for certain fee agreements; amending s. 73.093, F.S.; providing for written valuation reports; providing for compensation for certain valuation reports; precluding expert testimony inconsistent with written reports; amending s. 73.131, F.S.; exempting a condemning authority from liability for certain costs and attorney's fees; providing conditions for attorney's fees or costs on the appeal of a business damages claim; amending s. 74.031, F.S.; providing for contents of declarations of taking; amending s. 74.041, F.S.; eliminating authorization to combine certain summonses for certain purposes; providing that certain petitions are not required to meet certain constructive service requirements; amending s. 74.051, F.S.; requiring a court to enter an order of taking under certain circumstances; providing for budgeting of certain expert witness costs; providing for acquisition of certain property; amending s. 74.071, F.S.; providing for interest on judgments; amending s. 127.01, F.S.; clarifying that counties may condemn land for certain purposes; authorizing state agencies to delegate eminent domain power for programs and projects to local governments under certain conditions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate, Community Affairs, Civil Justice & Claims, and General Government Appropriations.

By Representative Miller—

**HB 3315**—A bill to be entitled An act relating to weapons and firearms; amending s. 790.001, F.S.; revising a definition; amending s. 790.06, F.S.; revising conditions precedent to the issuance of a license to carry a concealed weapon or firearm; requiring the denial or revocation of a license under specified circumstances; providing an additional condition under which a license shall be suspended or revoked pursuant to ch. 120, F.S.; expanding provisions relating to areas upon which concealed weapons or firearms shall not be carried; increasing the penalty for violation; amending s. 790.065, F.S., relating to sale and delivery of firearms; including a specified misdemeanor penalty within conditions which constitute conditional nonapproval of a licensee; providing for suspension of a specified time limitation under certain conditions; revising procedure to provide for issuance of a nonapproval number to potential buyers prohibited from owning a firearm; providing a time limit within which specified records shall be destroyed; repealing s. 790.065(13), F.S., as created by chapter 89-191, Laws of Florida; nullifying the scheduled repeal of s. 790.065, F.S., on the effective date of federal law which provides access to national criminal history information and requires national criminal history checks on potential buyers or transferees on firearms; repealing s. 790.065(14), F.S., as created by chapter 93-197, Laws of Florida; nullifying the scheduled repeal of s. 790.065, F.S., on October 1, 1999; amending s. 790.0655, F.S.; revising provisions relating to the mandatory 3-day waiting period between the purchase and delivery of a handgun; providing a penalty; creating s. 790.0657, F.S.; providing for regulation of the sale of firearms at gun shows; providing definitions; requiring that persons promoting the sale of firearms in the state through gun shows register with the Florida Department of Law Enforcement; requiring the promoter of any gun show at which firearms are being sold to be a firearms dealer; requiring all sales and transfers of firearms at a gun show to be subject to background check provisions of s. 790.065, F.S.; providing a first degree misdemeanor penalty for the sale or transfer of a firearm within 1,000 feet of a gun show by specified unauthorized persons; requiring gun show promoters to pay a fee to defray the cost of firearm purchase program services; providing an appropriation to fund such services; amending s. 790.08, F.S.; authorizing the submission of seized handguns to the Florida Department of Law Enforcement; requiring the department to forward serial numbers of seized handguns to the Federal Bureau of Alcohol, Tobacco, and Firearms for specified tracing and identification purposes; amending s. 790.10, F.S.; increasing the penalty

for improper exhibition of dangerous weapons or firearms; amending s. 790.115, F.S., relating to the prohibition against possessing or discharging weapons or firearms on school property; clarifying language relative to a specified exception; amending s. 790.17, F.S.; providing that a person may not knowingly or willfully rent, barter, lend, or give a firearm to a minor; providing a penalty; increasing the penalty for sale or transfer of a firearm to a minor; amending s. 790.22, F.S.; revising penalty requirements for offenses involving possession of a firearm by a minor under 18 years of age; amending s. 790.23, F.S.; providing an additional condition which constitutes unlawful ownership or possession of specified firearms or weapons; amending s. 790.25, F.S.; providing additional exclusions from the protections of provisions governing lawful ownership, possession, and use of firearms and other weapons; including correctional officers among persons who may lawfully own, possess, and use firearms and other weapons; amending s. 790.256, F.S.; requiring the Department of Children and Family Services to prepare specified public service announcements; amending s. 790.27, F.S.; increasing the penalty for selling, delivering, or possessing any firearm on which the manufacturer's or importer's serial number has been unlawfully altered or removed; amending s. 790.33, F.S.; authorizing the option of any county to require handgun registration and reporting of handgun title transfers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety, Crime & Punishment, Governmental Rules & Regulations, and Criminal Justice Appropriations.

By Representative Cosgrove—

**HB 3317**—A bill to be entitled An act relating to public records and meetings; amending s. 491.0047, F.S.; providing for application of public records exemptions in ss. 455.621(2) and (10) and 455.707(3)(e) and (5)(a), F.S., to certain information concerning art therapists, registered art therapist interns, and provisional art therapists; providing for application of the public meetings exemption in s. 455.621(4), F.S., to proceedings of a probable cause panel with respect to investigations concerning such practitioners; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Merchant—

**HB 3319**—A bill to be entitled An act relating to liens; amending s. 255.05, F.S.; revising language with respect to the bond of a contractor constructing public buildings; revising timeframes with respect to claims under the bond; providing an expedited time period for certain claims; providing for protection for contractors and surety under certain circumstances; providing for written statements to the contractor with respect to the nature of labor or services performed under certain circumstances; amending s. 713.06, F.S.; revising language with respect to liens of persons not in privity; reducing a time period for the service of certain notice; providing for protection of contractors and surety under certain circumstances; amending s. 713.13, F.S.; revising language with respect to notice of commencement; providing that certain payments made prior to recording of the notice are improper; amending s. 713.16, F.S.; authorizing the contractor to serve a demand for copy of contract and statements of account under certain circumstances; amending s. 713.20, F.S.; revising the waiver or release of liens form; amending s. 713.23, F.S.; reducing a time period for a lienor not in privity with the contractor to file notice for protection under the bond; providing for a shortened timeframe for the commencement of certain actions to enforce a claim against the payment bond; providing a form; providing for discharge; creating s. 713.235, F.S.; providing for waivers of right to claim against a payment bond; providing forms; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate and Governmental Operations.

By Representative Crow—

**HB 3321**—A bill to be entitled An act relating to condominiums; amending s. 718.103, F.S.; redefining the term “developer”; amending s. 718.111, F.S.; revising language with respect to the operation of the association to provide for the regulation of resort condominiums; providing criteria; amending s. 718.112, F.S.; revising language with respect to required provisions in the bylaws; authorizing a member of the board of administration or a committee to join by written concurrence in certain actions; providing requirements with respect to telephone conferences; amending s. 718.116, F.S.; providing for the payment of uninsured common expenses under certain circumstances; reenacting s. 718.115(1)(c), F.S.; to incorporate said amendment in a reference; amending s. 718.301, F.S.; authorizing the division to adopt rules to ensure the efficient and effective transition from developer control of a condominium to a unit owner-controlled association; amending s. 718.3026, F.S.; providing conditions under which a worker is considered an employee of an association; amending s. 718.501, F.S.; authorizing the division to establish timeframes for and require information relating to the creation, merger, and termination of condominiums and the dissolution of condominium associations; amending s. 718.502, F.S.; providing time limitations on closing a contract for sale or lease of a condominium for a period of more than 5 years; providing for rules; amending s. 718.503, F.S.; providing an additional requirement with respect to developer disclosure; creating s. 718.621, F.S.; providing for rulemaking authority; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate and Governmental Rules & Regulations.

By Representatives Fuller and Feeney—

**HB 3323**—A bill to be entitled An act relating to sport shooting ranges; providing definitions; providing exemption from civil liability and criminal prosecution for owners and users of sport shooting ranges with respect to noise pollution resulting from the operation of the range under certain circumstances; exempting sport shooting ranges from specified rules and regulations; prohibiting certain nuisance actions against sport shooting ranges; providing for the continued operation of sport shooting ranges under specified circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment and Civil Justice & Claims.

By Representative Cosgrove—

**HB 3325**—A bill to be entitled An act relating to art therapy; providing for regulation of the practice of art therapy under chapter 491, F.S., relating to clinical social work, marriage and family therapy, and mental health counseling; amending s. 491.002, F.S.; providing intent; amending s. 491.003, F.S.; revising and providing definitions; amending s. 491.004, F.S.; renaming the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling as the the Board of Clinical Social Work, Marriage and Family Therapy, Art Therapy, and Mental Health Counseling; increasing board membership to provide for appointment of an art therapist member; amending s. 491.0045, F.S.; providing for registration of art therapist interns; amending s. 491.0046, F.S.; providing for provisional licensure; amending s. 491.005, F.S.; providing licensure requirements; amending s. 491.006, F.S.; providing for licensure by endorsement; amending s. 491.012, F.S.; providing penalties with respect to the use of certain titles and terms and with respect to unlicensed practice; amending s. 491.014, F.S.; correcting a cross reference; amending s. 491.0149, F.S.; requiring the display of license at each practice location; requiring the use of certain professional titles on promotional materials; amending ss. 20.43, 61.20, 90.503, 397.311, 397.405, 456.32, 468.1295, 490.00515, 490.014, and 627.668, F.S., relating to the Department of Health, social investigations when child custody is in question, a definition of

“psychotherapist,” a definition of “private practitioner,” certain exemptions from licensure, definitions of “healing arts” and “practitioner of the healing arts,” a ground for disciplinary action relating to impairment as a speech-language pathologist or audiologist, exemptions from public records applicable to psychologists, exemptions from regulation as a psychologist, and optional insurance coverage for mental and nervous disorders, respectively, to provide applicability to art therapists and other conforming changes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Villalobos and Murman—

**HB 3327**—A bill to be entitled An act relating to sexual predators; creating the “Jimmy Ryce Involuntary Civil Commitment for Sexually Violent Predators’ Treatment and Care Act”; creating s. 916.30, F.S.; providing findings and intent; creating s. 916.31, F.S.; defining terms; creating s. 916.32, F.S.; requiring notice of release from custody of a person alleged to be a sexually violent predator; providing for the person’s evaluation; creating s. 916.33, F.S.; providing for petition to have such person declared a sexually violent predator; creating s. 916.34, F.S.; providing for determination of probable cause, evaluation, and taking such person into custody; creating s. 916.35, F.S.; providing for trial on the issue of whether a person is a sexually violent predator; creating s. 916.36, F.S.; providing for commitment of a person determined to be a sexually violent predator; creating s. 916.37, F.S.; requiring annual examination of persons committed; creating s. 916.38, F.S.; requiring detention and commitment to conform to constitutional requirements; creating s. 916.39, F.S.; providing for petitions for release; creating s. 916.40, F.S.; providing that the Department of Children and Family Services is responsible for specified evaluation and treatment costs; creating s. 916.41, F.S.; providing for notice to victims; creating s. 916.42, F.S.; providing severability; creating s. 916.43, F.S.; providing for access to certain records; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children and Health & Human Services Appropriations.

By Representative Argenziano—

**HB 3329**—A bill to be entitled An act relating to water resources; amending s. 373.223, F.S.; prescribing conditions for certain transport and use of ground or surface waters under a consumptive use permit issued by a water management district or the Department of Environmental Protection; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Water & Resource Management.

By Representative Argenziano—

**HB 3331**—A bill to be entitled An act relating to environmental control; amending s. 403.813, F.S.; providing an exception from permitting requirements for the removal by a property owner of unconsolidated organic detrital material from water bodies adjacent to the owner’s property under specified circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Water & Resource Management and General Government Appropriations.

By Representatives Crow and Fasano—

**HB 3333**—A bill to be entitled An act relating to stalking offenses; amending s. 784.048, F.S.; providing for court revocation for a specified period of the driver’s license of a person who has used a motor vehicle in the course of committing stalking or aggravated stalking; providing for forfeiture as contraband of such motor vehicle; providing for booting or immobilization of the vehicle for a specified period; providing for

forfeiture of personal property used in the course of committing the stalking or aggravated stalking; amending s. 932.701, F.S., relating to definitions with respect to the Florida Contraband Forfeiture Act; redefining the term "contraband article," to conform to changes made by the act; reenacting s. 932.703, F.S., relating to forfeiture of contraband articles, to incorporate the amendment to s. 932.701, F.S., in references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment, Civil Justice & Claims, and Criminal Justice Appropriations.

**HB 3335**—Withdrawn

By Representatives Morse and Fasano—

**HB 3337**—A bill to be entitled An act relating to road designation; designating the Gratigny Parkway in Dade County as the "Marlins Expressway"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation and Transportation & Economic Development Appropriations.

**HB 3339**—Withdrawn

By Representative Silver—

**HB 3341**—A bill to be entitled An act relating to public exhibition of violent video games; providing a short title; providing definitions; prohibiting the public showing, display, or other exhibition of video games containing graphic violence in specified places; prohibiting a person who operates a place of business where video games containing graphic violence are shown, displayed, or exhibited from knowingly permitting or allowing any person under 18 years of age to patronize, visit, or loiter in such place of business; providing penalties; providing for deposit of fines in the Public Medical Assistance Trust Fund for use for a certain purpose; providing for proof of age to be required of a prospective video game observer at the place of business; providing a defense to prosecution under specified provisions; providing that a person who operates such place of business may seek a declaratory judgment from a court of appropriate jurisdiction on whether a video game contains graphic violence; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims, Family Law & Children, Governmental Rules & Regulations, and Criminal Justice Appropriations.

By Representative Chestnut—

**HB 3343**—A bill to be entitled An act relating to barbering and cosmetology; amending ss. 476.114 and 476.124, F.S.; revising provisions relating to examination for licensure as a barber; repealing s. 476.134, F.S., relating to time, place, and subjects of examination; amending s. 476.144, F.S.; revising requirements for a restricted license to practice barbering; amending s. 477.013, F.S.; defining the terms "hair wrapping" and "photography studio salon"; amending s. 477.0132, F.S.; providing registration requirements for hair wrappers; providing requirements for hair braiding and hair wrapping outside a cosmetology salon or specialty salon; amending s. 477.0135, F.S.; exempting photography studio salons from licensure as a cosmetology salon or specialty salon and providing requirements with respect thereto; amending s. 477.019, F.S.; revising provisions relating to applicants for licensure by examination; providing continuing education requirements for cosmetologists and cosmetology specialists; providing for privatization of such continuing education; exempting hair braiders and hair wrappers from such continuing education requirements; repealing s. 477.022, F.S., relating to examinations; amending s. 477.026, F.S.; providing registration fees for hair wrappers; amending s. 477.0263,

F.S.; authorizing the performance of cosmetology services in a photography studio salon; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Regulation & Consumer Affairs and Governmental Rules & Regulations.

By Representatives Lacasa and Constantine—

**HB 3345**—A bill to be entitled An act relating to regulation of wrecker operators and persons immobilizing vehicles; amending s. 1.01, F.S.; defining the term "wrecker operator"; providing for a law enforcement officer to place a hold order on a motor vehicle in a wrecker operator's storage facility; prescribing conditions on such acts; authorizing county and municipal wrecker operator systems; prohibiting certain acts in contravention of such systems; providing penalties; amending s. 316.193, F.S.; providing for payment of charges when a vehicle is impounded or immobilized as a result of a charge of driving under the influence; amending s. 321.051, F.S.; revising provisions authorizing the Florida Highway Patrol to establish a wrecker operator system; prohibiting certain acts in contravention of such system; providing penalties; amending s. 322.34, F.S.; revising provisions relating to impoundment or immobilization of vehicles being operated while the operator's license is suspended, revoked, canceled, or disqualified; providing for payment of accrued charges; amending s. 713.78, F.S.; providing that law allowing a lien for recovering, towing, or storing a vehicle does not authorize a lien for immobilizing a vehicle; providing liability for damages or theft in connection with a towed vehicle; amending s. 319.30, F.S.; conforming a cross reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs, Law Enforcement & Public Safety, and Transportation.

By Representative Sembler—

**HB 3347**—A bill to be entitled An act relating to advertisement of real property with delinquent taxes; amending ss. 197.402 and 197.403, F.S.; reducing the number of times such advertisement must be made; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate and Community Affairs.

By Representatives Livingston, Arnold, Bainter, Morrone, Culp, Ziebarth, Lynn, Brown, Wiles, Barreiro, Andrews, Melvin, and Bloom—

**HB 3349**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing conditions under which certain nonprofit organizations are qualified as charitable institutions for tax exemption purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Finance & Taxation and General Government Appropriations.

By Representative Fasano—

**HB 3351**—A bill to be entitled An act relating to corporate income tax; amending s. 220.15, F.S., which provides for apportionment of adjusted federal income for corporate income tax purposes; providing that the property factor fraction shall not include property certified as dedicated to research and development pursuant to sponsored research conducted through a state university; providing that the payroll factor shall not include compensation paid to employees certified as dedicated to such activities; providing that no such activities shall cause a corporation not otherwise subject to corporate income tax to be subject to said tax;

providing limitations; providing for rules; requiring a report; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Colleges & Universities, Finance & Taxation, and General Government Appropriations.

By Representative Mackey—

**HB 3353**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.0951, F.S.; revising language with respect to the tax on handle for intertrack wagering; amending s. 550.09514, F.S.; providing a formula for the distribution of a purse supplement; requiring greyhound permitholders to supply kennel operators with a weekly report; requiring greyhound permitholders to make direct payment of purses to greyhound owners based on certain amounts; directing the Division of Pari-mutuel Wagering to design and distribute weekly purse sheets; providing for required information; amending s. 550.6305, F.S.; providing for the payment of a certain portion of payments made on intertrack wagering as purses for greyhound permitholders; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Regulated Services, Finance & Taxation, and General Government Appropriations.

By Representative Ogles—

**HB 3355**—A bill to be entitled An act relating to emergency management planning; amending s. 20.43, F.S.; defining responsibilities of the county health departments in providing assistance to local special needs units or shelters; amending s. 252.355, F.S.; revising provisions relating to registration of persons requiring special needs assistance in emergencies; amending ss. 400.497, 400.610, and 408.034, F.S.; providing minimum requirements for home health agency and hospice comprehensive emergency management plans; providing for plan review by the local emergency management agency and other specified entities; requiring the adoption of rules establishing plan components and standards for care and services to be provided in emergency evacuation and sheltering; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform, Community Affairs, and Law Enforcement & Public Safety.

By Representatives Stafford and Effman—

**HB 3357**—A bill to be entitled An act relating to motor vehicle airbags; providing a short title; providing definitions; providing requirements on sales, replacement, or installation of airbags; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment and Transportation.

By Representative Stafford—

**HB 3359**—A bill to be entitled An act relating to protective services for certain victims and witnesses; amending s. 914.25, F.S.; redefining "serious felony offense" with respect to said section to include criminal attempts, solicitations, or conspiracies to commit specified offenses; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Wallace and Andrews—

**HB 3361**—A bill to be entitled An act relating to education; amending s. 236.081, F.S., relating to funds for operation of schools; providing funding for extension of the school year; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education/K-12 and Education Appropriations.

By the Committee on Regulated Services; Representative Morroni—

**HB 3363**—A bill to be entitled An act relating to alcoholic beverages and tobacco; amending s. 210.10, F.S.; correcting a cross reference with respect to the powers and duties of the Division of Alcoholic Beverages and Tobacco; amending s. 562.45, F.S.; revising obsolete language with respect to penalties for violating the Beverage Law; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Regulated Services; Representative Morroni—

**HB 3365**—A bill to be entitled An act relating to pari-mutuel wagering; amending ss. 550.01215, 550.0251, 550.0951, 550.09511, 550.09515, and 550.6305, F.S.; removing obsolete language and correcting a cross reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on General Government Appropriations.

By Representatives Bronson, Sembler, Spratt, Bainter, Mackey, and Fasano—

**HB 3367**—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.29, F.S.; providing for a judicial nominating commission to include at least one resident from each county within the judicial circuit; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment.

By Representative Gay—

**HB 3369**—A bill to be entitled An act relating to inland waterway management; amending s. 374.976, F.S.; authorizing the Florida Inland Navigation District and the West Coast Inland Navigation District to enter into cooperative agreements with the Federal Government, participate with the United States Army Corps of Engineers in waterway maintenance projects, engage in anchorage management programs, and enter into ecosystem management agreements with the Department of Environmental Protection; conforming language relating to existing matching fund requirements; repealing s. 374.976(5), F.S., as amended by ch. 96-320, Laws of Florida, to clarify legislative intent with respect to duplicate provisions; amending s. 403.061, F.S.; providing a supplemental process for issuance of joint coastal permits and environmental resource permits for regional waterway management activities; amending s. 311.105, F.S.; correcting cross references; repealing s. 8 of ch. 90-264, Laws of Florida, relating to Sundown review and repeal of the West Coast Inland Navigation District; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs, Environmental Protection, and General Government Appropriations.

By Representatives Hill, Mackey, Sembler, and King—

**HB 3371**—A bill to be entitled An act relating to sales contracts for farm equipment and motor vehicle or truck repair parts; creating s. 686.4035, F.S.; revising the Farm Equipment Manufacturers and Dealers Act to provide that the termination of franchise agreements must be done in good faith; providing definitions; providing for applicability; providing requirements with respect to franchise agreements between manufacturers, wholesalers, and distributors and dealers of motor vehicle or truck repair parts; requiring that termination of such franchises be done in good faith; providing a definition; providing for liability; providing for applicability; prohibiting certain practices; providing liability with respect to failure to pay a specified sum on cancellation of contract; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Regulation & Consumer Affairs, Civil Justice & Claims, and Agriculture.

By Representative Tamargo—

**HB 3373**—A bill to be entitled An act relating to pretrial detention; amending s. 903.046, F.S.; providing that a court may detain a defendant after bail hearing without motion for pretrial detention if no conditions of release can protect the community from harm or assure the defendant's presence at trial or the integrity of the judicial process; amending s. 907.041, F.S.; revising criteria for pretrial detention; deleting requirement for additional court findings for pretrial detention; specifying that the need for pretrial detention must be shown by a preponderance of the evidence; deleting limitation upon detention period when detention is based on threat of harm to the community; authorizing a court to detain a defendant after bail hearing without separate hearing or motion for pretrial detention; repealing Rules 3.131 and 3.132, Florida Rules of Criminal Procedure, relating to pretrial release and pretrial detention, to the extent of inconsistency with the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment and Criminal Justice Appropriations.

By Representative Tamargo—

**HB 3375**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.031, F.S.; excluding certain pass-through charges on commercial real estate leases from such taxes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate, Finance & Taxation, and General Government Appropriations.

By Representatives Frankel, Lynn, Thrasher, Ritchie, Morse, Bloom, Wise, Brennan, Bullard, Logan, Reddick, Turnbull, Mackenzie, Murman, Brown, Futch, Arnall, Merchant, Dawson-White, Casey, Jones, Fasano, and Healey—

**HB 3377**—A bill to be entitled An act relating to children and families; creating s. 383.145, F.S.; creating the Healthy Families Florida program; providing legislative findings and intent; providing purpose; requiring integrated community-based delivery of services; specifying program requirements; providing responsibilities of the Department of Health and the Department of Children and Family Services; providing for development, implementation, and administration of the program; establishing the Healthy Families Florida Statewide Board; specifying criteria for community program grant funding; requiring collaboration with existing community boards, coalitions, providers, and planning groups; authorizing contracts for training and evaluation; providing for quality assurance; providing for application for a federal waiver; providing for rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children, Health Care Standards & Regulatory Reform, Children & Family Empowerment, Governmental Rules & Regulations, and Health & Human Services Appropriations.

By Representatives Casey, Bloom, Frankel, Ritter, Cosgrove, Heyman, Wise, Wasserman Schultz, Roberts-Burke, D. Prewitt, Effman, Fischer, Kosmas, Silver, Thrasher, Fasano, Brown, Livingston, Arnold, Jacobs, Betancourt, Murman, Saunders, Starks, Bainter, Horan, Kelly, Arnall, Brooks, Ogles, Bradley, Sanderson, Hafner, Lacasa, Crow, Clemons, Dennis, Flanagan, Peadar, Fuller, Warner, Greene, Carlton, Turnbull, Brennan, Jones, Constantine, Boyd, and Ziebarth—

**HB 3379**—A bill to be entitled An act relating to clean indoor air; amending s. 386.202, F.S.; providing legislative intent that the "Florida Clean Indoor Air Act" is a uniform statewide minimum code; repealing

s. 386.209, F.S., relating to state preemption of the regulation of smoking; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Health Care Standards & Regulatory Reform.

By Representative Constantine—

**HB 3381**—A bill to be entitled An act relating to public officers and employees; amending ss. 18.01, 19.14, 20.23, F.S.; eliminating bond requirements for the Treasurer, the Commissioner of Agriculture, and the comptroller of the Department of Transportation; amending s. 20.05, F.S.; allowing the head of an executive department to require bonds for officers or employees of the department and to set the amount of the bond and approve the bond; amending s. 20.32, F.S.; allowing the Parole Commission to require bonds for employees, set the bond amount, and approve the bonds; amending s. 27.255, F.S.; authorizing state attorneys to require bonds for full-time investigators and special investigators; amending ss. 28.01, 28.02, 28.09, 30.01, 30.02, 30.06, 30.09, 30.21, 40.35, F.S.; requiring bonds and the filing of bonds with the clerk of the circuit court as determined by the board of county commissioners for the clerk of the circuit court, clerks ad interim, sheriffs, and deputy sheriffs; providing requirements for bonds when sheriffs are appointed to fill vacancies; clarifying the liability of sureties; amending ss. 48.021, 98.015, F.S.; eliminating bond requirements for special process servers, and supervisors of elections; amending s. 113.07, F.S.; eliminating the requirement for public officials to file a surety bond as a prequalification to holding office or performing duties; amending s. 115.03, F.S., relating to elected officers' duties; clarifying that any required bonds remain in effect for the remainder of a term of office; allowing for the deputy to give a bond; amending s. 137.01, F.S.; eliminating the bond requirements for county officers; allowing the board of county commissioners to require county officers to give a bond, set the amount of the bond, and approve the bond; requiring the filing of bonds with the clerk of the circuit court instead of the Department of State; amending s. 137.02, F.S.; eliminating the bond requirements for tax collectors; requiring bond as determined by the board of county commissioners; eliminating the requirement that the Department of State approve the bond; amending s. 137.03, F.S.; eliminating the bond requirement for property appraisers; requiring bond as determined by the board of county commissioners; amending s. 137.04, F.S.; eliminating the bond requirement for county commissioners; requiring bond as determined by the board; eliminating the requirement that the Department of State approve the bond; amending s. 137.05, F.S., relating to the examination requirements of bonds of county officers by the county commissioners; removing the examination criteria for sureties; removing the required report of impaired bonds by the county commissioners to the Governor; amending s. 240.268, F.S.; eliminating the bond requirement for university police officers; allowing the university to require a bond, set the amount of the bond, and approve the bond; amending s. 240.38, F.S.; eliminating the bond requirement for community college police officers; allowing the community college to require a bond, set the amount of the bond, and approve the bond; amending s. 242.343, F.S.; eliminating the bond requirement for campus police of the Florida School for the Deaf and the Blind; allowing the board of trustees to require a bond, set the amount of the bond, and approve the bond; amending ss. 250.10, 266.00001, 266.0013, F.S., and repealing s. 252.55(5), F.S.; eliminating bond requirements for the state quartermaster appointed by the Adjutant General, the Florida Wing commander of the Civil Air Patrol, and members of the historic preservation board; authorizing the Department of State to require and approve a bond for members of historic preservation boards; amending s. 284.41, F.S.; eliminating the coverage for trust funds by the public official bond of the Treasurer and Insurance Commissioner; amending s. 320.03, F.S.; allowing the Department of Highway Safety and Motor Vehicles to require a bond of tax collectors; amending s. 372.04, F.S.; eliminating the requirement for the Director of the Game and Fresh Water Fish Commission to give a bond; allowing the Game and Fresh Water Fish Commission to require a bond of employees, to determine the amount of the bond, and to approve the bond; amending s. 388.131, F.S.; eliminating the bond

requirement for the board of commissioners of mosquito-control districts; allowing the Department of Agriculture and Consumer Services to require a bond; amending s. 440.50, F.S.; eliminating the requirement for the Treasurer and Insurance Commissioner to give a bond related to his or her duties as custodian of the Workers' Compensation Administration Trust Fund; amending s. 443.191, F.S.; eliminating the liability on the Treasurer's and Insurance Commissioner's official bond for duties as custodian of the Unemployment Compensation Trust Fund; amending s. 443.211, F.S.; eliminating the liability on the Treasurer's and Insurance Commissioner's official bond for duties in connection with the Employment Security Administration Trust Fund; amending s. 523.22, F.S.; eliminating the requirement that the Legislature provide for premiums for the bonds of all naval store inspectors; amending ss. 561.051, 570.073, 570.09, 570.11, 582.055, F.S.; eliminating bond requirements for the director and employees of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation and for certain employees of the Department of Agriculture and Consumer Services; repealing s. 17.01, F.S., which requires the Comptroller to give a bond; repealing s. 17.19, F.S., which requires the Comptroller to annually examine the bonds of state officers and report insufficiency of bonds to the Governor; requiring the Governor to require a new bond; holding the Comptroller liable to the state for any loss sustained due to failure to examine the bonds; providing for recovery of loss by suit; repealing s. 113.05, F.S., which prohibits the Governor from issuing commissions to persons required by law to give bond until the execution, approval, and filing of the bond; repealing s. 137.06, F.S., which provides that the failure of a county officer to file a new bond is misfeasance, requires the Governor to suspend the officer and appoint a successor, and makes an officer impeachable for failure to give a new bond; repealing s. 137.07, F.S., which provides liability of the Comptroller and county commissioners to the state and county for failure to perform duties under s. 17.19, F.S., or s. 137.05, F.S.; repealing s. 213.04, F.S., which requires the executive director of the Department of Revenue to give a bond; repealing s. 229.501, F.S., which requires the Commissioner of Education to give a bond; repealing s. 281.09, F.S., which requires bonding for the officers and agents of the Division of Capitol Police; repealing s. 321.08, F.S., which requires certain officers and employees of the Department of Highway Safety and Motor Vehicles to give a bond; repealing s. 523.11, F.S., which requires the supervising inspector of naval stores to give a bond; providing applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representatives Culp, Effman, and Trovillion—

**HB 3383**—A bill to be entitled An act relating to state purchasing; requiring the Department of Management Services to develop and publish guidelines for state agencies with respect to the purchase of computer mainframes; establishing minimum requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations and General Government Appropriations.

By Representative Effman—

**HB 3385**—A bill to be entitled An act relating to guardians ad litem; amending ss. 61.401 and 61.403, F.S.; providing that the guardian ad litem and the child's attorney need not be the same person; providing that guardians ad litem who are attorneys in good standing with The Florida Bar may act as their own attorneys; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children.

By Representatives Frankel, Sanderson, Merchant, Silver, Jacobs, Warner, Fasano, Greene, and Healey—

**HB 3387**—A bill to be entitled An act relating to Alzheimer's disease and related disorders; amending s. 430.502, F.S.; establishing an

additional memory disorder clinic; revising authority of the Department of Elderly Affairs with respect to contracts for specialized model day care programs at such clinics; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Elder Affairs & Long Term Care, Health Care Services, and Health & Human Services Appropriations.

By Representative Trovillion—

**HB 3389**—A bill to be entitled An act relating to nonpublic postsecondary education institutions; amending s. 246.021, F.S.; clarifying the definition of the term "college"; amending s. 246.031, F.S.; revising requirements relating to members of the State Board of Independent Colleges and Universities; amending s. 246.084, F.S., relating to colleges receiving an authorization; revising certain requirements; providing for exemption from certain requirements; revising provisions relating to oversight of the review and collection of data for purposes of determining compliance; amending s. 246.31, F.S., relating to the Institutional Assessment Trust Fund; conforming provisions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Colleges & Universities.

By Representatives Turnbull, Merchant, Boyd, Tamargo, Bullard, Brennan, Dawson-White, Dennis, Chestnut, Heyman, Bloom, Frankel, Greene, and Crow—

**HB 3391**—A bill to be entitled An act relating to protection of victims who apply for or receive public assistance; amending s. 414.0252, F.S.; defining "battered or subject to extreme cruelty" and "domestic violence" with respect to specified provisions relating to temporary family assistance; amending s. 414.065, F.S., relating to work requirements; providing an exception from the work requirements for certain individuals at risk of domestic violence; providing an exception for a specified period for certain individuals impaired by past incidents of domestic violence, under certain circumstances; reenacting s. 414.20, F.S., relating to support services, to incorporate said amendment in a reference; amending s. 414.095, F.S., relating to determination of eligibility for the WAGES program; providing that a person who has been battered or subject to extreme cruelty in the United States by a spouse or parent is a "qualified noncitizen" under specified circumstances; providing for program applicants or participants to receive certain information regarding services available from domestic violence centers or organizations and to request referrals thereto; providing that risk of domestic violence constitutes good cause for failure by a parent or caretaker relative to cooperate with paternity establishment or establishment, modification, or enforcement of certain child support orders, under specified circumstances; amending s. 414.105, F.S., relating to time limitations on temporary cash assistance; permitting domestic violence victims to be granted hardship exemptions not subject to certain percentage limitations, under specified circumstances; amending s. 414.115, F.S., relating to limited temporary cash assistance for children born to families receiving temporary cash assistance; providing for nonapplicability to domestic violence victims of specified provisions limiting such assistance under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Children & Family Empowerment, Family Law & Children, Crime & Punishment, and Health & Human Services Appropriations.

By Representatives Turnbull, King, and Valdes—

**HB 3393**—A bill to be entitled An act relating to air carriers; directing the Department of Management Services to evaluate the state contract for air carrier service for state employees, undertake a pilot program, and evaluate the pilot program; amending s. 212.08, F.S.; revising the application of the exemption from the tax on sales, use, and other transactions for labor charges for the maintenance and repair of certain

aircraft; providing an exemption for replacement engines, parts, and equipment used in the repair or maintenance of certain aircraft; amending s. 332.007, F.S., which provides for the administration and financing of airport projects; providing that a portion of the assistance provided by the Department of Transportation may be used to improve scheduled airline service; providing that projects to improve scheduled air service to and from the state capital shall be deemed to be of statewide importance under said section; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Development & International Trade, Governmental Operations, Finance & Taxation, and General Government Appropriations.

By Representatives Starks and Fasano—

**HB 3395**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; including certain nonprofit corporations that make and distribute recordings to blind or visually impaired persons within the definition of “religious institutions” for tax exemption purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Finance & Taxation.

By Representative Jacobs—

**HB 3397**—A bill to be entitled An act relating to smoking on or near school property; amending s. 386.212, F.S., which prohibits persons under 18 from smoking tobacco in or near a public or private elementary, middle, or secondary school during certain hours; removing the age limitation and time limitation on such prohibition; providing that persons under 18 who violate said prohibition shall be punished in the same manner as for violation of s. 569.11(1), F.S., which prohibits possession of any tobacco product by a person under 18, and that persons 18 and older who violate said prohibition shall be punished as provided in s. 386.208, F.S., which provides the penalty for smoking in public places or meetings; amending s. 386.208, F.S., to conform; amending s. 322.056, F.S., which provides for mandatory revocation or suspension of, or delay of eligibility for, driver’s licenses for persons under 18 who violate s. 569.11, F.S., to include violation of s. 386.212, F.S.; amending s. 569.12, F.S., which provides for enforcement and the form of citation for violation of s. 569.11, F.S., to include violation of s. 386.212, F.S.; amending s. 569.19, F.S., which requires an annual report on violations of s. 569.11, F.S., to include violations of s. 386.212, F.S.; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Juvenile Justice, Education/K-12, Business Regulation & Consumer Affairs, and Criminal Justice Appropriations.

By Representatives Ogles, Clemons, Bitner, Mackey, Sembler, King, Flanagan, and Bradley—

**HB 3399**—A bill to be entitled An act relating to bulk transfers; creating s. 726.202, F.S.; specifying certain bulk transfers as fraudulent under certain circumstances; providing criteria; providing requirements; specifying liability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Financial Services and Civil Justice & Claims.

By Representatives Wiles, Crady, Smith, and K. Pruitt—

**HB 3401**—A bill to be entitled An act relating to concurrency on the Florida Interstate Highway System; amending s. 163.3180, F.S.; directing the Department of Transportation to lower the level-of-service standard on certain segments of the system within the jurisdiction of a

local government under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation, Community Affairs, and Transportation & Economic Development Appropriations.

By the Committee on Finance & Taxation; Representatives Starks, Fasano, and Livingston—

**HB 3403**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending ss. 212.04 and 212.12, F.S.; increasing the maximum amount of tax remitted by a dealer to which the dealer’s credit applies; repealing s. 212.18(5), F.S., which imposes an additional annual registration fee on dealers who have taxable sales or purchases of \$30,000 or more; amending s. 212.20, F.S.; providing for reallocation of a specified portion of sales tax proceeds to the Solid Waste Management Trust Fund; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on General Government Appropriations.

**HB 3405**—Withdrawn

By Representatives Barreiro and Fasano—

**HB 3407**—A bill to be entitled An act relating to courses of study and instructional materials; amending s. 233.061, F.S.; including the study of Hispanic contributions to the United States in required public school instruction; amending s. 233.34, F.S.; revising provisions relating to the purchase of instructional materials not on the state-adopted list; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education Innovation.

By Representative Goode—

**HB 3409**—A bill to be entitled An act relating to higher education; amending s. 240.299, F.S.; providing reporting requirements for university direct-support organizations; amending s. 240.311, F.S., relating to rules of the State Board of Community Colleges; requiring a community college district board of trustees to annually evaluate the college president; amending s. 240.324, F.S.; providing an additional requirement for the accountability plan for community colleges; amending ss. 240.331, 240.3315, F.S.; prescribing membership of boards of directors and executive committees of community college direct-support organizations and statewide community college direct-support organizations; restricting activities of such direct-support organizations; providing reporting requirements for such organizations; amending s. 240.335, F.S.; removing the authority of a board of directors of a center of technology innovation to acquire, lease, or sublease property; amending s. 240.363, F.S.; providing restrictions upon the transfer of funds to a direct-support organization; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Colleges & Career Prep, Governmental Rules & Regulations, and Education Appropriations.

By Representative Lacasa—

**HB 3411**—A bill to be entitled An act relating to the Community Redevelopment Act of 1969; amending s. 163.340, F.S.; defining “private capital investment project,” “investor,” and “business venture”; amending s. 163.345, F.S.; expanding provisions which direct counties and municipalities to involve private enterprise in redevelopment; creating s. 163.3555, F.S.; providing special requirements applicable to a community redevelopment area which utilizes sales tax increment funding; amending s. 163.360, F.S.; revising a determination relating to housing that must be made before certain land in a community redevelopment area is acquired; amending s. 163.362, F.S.; revising requirements for community redevelopment plans relating to publicly

funded capital projects and relocation of displaced persons; providing requirements for plans which include a private capital investment project; requiring certain agreements and performance guarantees; amending s. 163.370, F.S.; revising restrictions imposed on financing certain public buildings with increment revenues; amending s. 163.387, F.S.; removing a provision that allows certain counties to adopt a special formula for funding their redevelopment trust funds; authorizing funding of a redevelopment trust fund by the increment in sales and use taxes collected within certain community redevelopment areas; providing for determination of such increment; providing administrative duties of local governing bodies and the Department of Revenue; amending s. 212.20, F.S., to conform; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain information with local governing bodies; providing for rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Ogles, Fasano, and Merchant—

**HB 3413**—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.02, F.S.; providing that the form for motor vehicle registration and renewal must include language permitting a voluntary contribution to the Florida Mothers Against Drunk Driving, Inc.; providing for the distribution of such contributions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation, Law Enforcement & Public Safety, and Governmental Rules & Regulations.

By Representatives Smith and Kelly—

**HB 3415**—A bill to be entitled An act relating to the transportation disadvantaged; amending s. 427.011, F.S.; revising definitions; defining the terms “secretary,” “department,” and “division”; amending s. 427.012, F.S.; eliminating the Commission for the Transportation Disadvantaged and creating the Florida Coordinated Transportation Disadvantaged Advisory Board; providing for membership, powers, and duties; amending s. 427.013, F.S.; providing for the purpose and responsibilities of the Division of Community Transportation Services with respect to the transportation disadvantaged; amending s. 427.0135, F.S.; providing for the duties and responsibilities of the member departments in carrying out the policies and procedures of transportation services for the transportation disadvantaged; amending s. 427.015, F.S.; revising language with respect to the function of the metropolitan planning organization or designated official planning agency in coordinating transportation for the transportation disadvantaged; amending s. 427.0155, F.S.; conforming provisions relating to community transportation coordinators to the act; amending s. 427.0157, F.S.; providing for the powers and duties of local coordinating boards; amending s. 427.0158, F.S.; conforming language to the act with respect to school bus and public transportation; amending s. 427.0159, F.S.; revising language with respect to the Transportation Disadvantaged Trust Fund, to conform; amending s. 427.016, F.S.; conforming language to the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation, Law Enforcement & Public Safety, Governmental Rules & Regulations, and Transportation & Economic Development Appropriations.

By Representatives Brown and Kelly—

**HB 3417**—A bill to be entitled An act relating to intangible personal property taxes; providing a short title; creating s. 199.105, F.S.; providing for taxation of certain intangible personal property transferred to a person or entity outside the state and then repurchased to avoid taxation; providing that a grantor shall be treated as owning property that constitutes trust principal under certain conditions; providing that such transfer or trust is prima facie evidence of intent to

avoid taxation, and providing burden of proof; amending s. 199.185, F.S.; providing an exemption for accounts receivable; increasing the exemption from the annual tax granted to natural persons; repealing s. 199.103(5), F.S., which provides for valuation of accounts receivable, ss. 199.183(3) and 199.185(7), F.S., which provide an exemption for credit card receivables owed to certain banks, and s. 199.185(6), F.S., which provides an exemption for certain accounts receivable owned by certain liquor distributors; amending s. 199.175, F.S.; removing provisions relating to the taxable situs of credit card or charge card receivables; creating s. 199.233, F.S.; specifying the period for which the Department of Revenue may assess intangible personal property taxes when a liability is discovered by audit or examination, or when a taxpayer voluntarily self-discloses liability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Financial Services, Finance & Taxation, and General Government Appropriations.

By Representative Minton—

**HB 3419**—A bill to be entitled An act relating to juries; amending s. 40.015, F.S.; providing a method for establishing jury districts, boundaries; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and Criminal Justice Appropriations.

By Representative Putnam—

**HB 3421**—A bill to be entitled An act relating to water control districts; amending s. 298.005, F.S.; deleting the definition of the term “water control district” and revising the definition of the term “water control plan”; amending s. 298.11, F.S.; providing for landowner vote for fractional acreage; providing quorum requirements; amending s. 298.12, F.S.; providing for appointment of a supervisor; amending s. 298.16, F.S.; eliminating surety bond requirements for district engineers; amending s. 298.22, F.S.; providing criteria for awarding construction contracts; providing clarification of when districts may assess and collect fees for connection to district works; amending s. 298.225, F.S.; revising requirements for the development and amendment of district water control plans; amending s. 298.26, F.S.; revising use of the district engineer’s annual report; amending s. 298.301, F.S.; providing for the determination of benefits and damages; revising notice and report requirements; providing that the approval of a district water control plan and assessments is final unless court action is brought within 30 days after approval; amending s. 298.329, F.S.; conforming a statutory cross-reference; amending s. 298.337, F.S.; providing for the assessment of land less than an acre; amending s. 298.353, F.S.; revising notice requirements; providing that district bonds may be payable from assessments on more than one unit; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Water & Resource Management and General Government Appropriations.

By Representative Rayson—

**HB 3423**—A bill to be entitled An act relating to law enforcement officers; creating ss. 943.1721 and 943.1722, F.S.; requiring basic skills training and continued employment training for law enforcement officers relating to elderly persons; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety, Elder Affairs & Long Term Care, and Criminal Justice Appropriations.

By Representative Culp—

**HB 3425**—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.185, F.S.; increasing the exemption

from the annual tax granted to natural persons; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Financial Services, Finance & Taxation, and General Government Appropriations.

By Representatives Jones, Bloom, King, Roberts-Burke, Barreiro, Lacasa, and Lynn—

**HB 3427**—A bill to be entitled An act relating to funding for beach management; amending s. 161.091, F.S.; providing for funding of the state's beach management plan through the Ecosystem Management and Restoration Trust Fund; providing that designated funds be deposited in the trust fund and that funds in the trust fund be used to fully implement the beach management plan prior to being used for any other purpose; amending s. 201.15, F.S.; providing for appropriation of certain documentary stamp tax revenues to the trust fund for purposes of beach preservation and repair; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Environmental Protection and General Government Appropriations.

By Representatives Putnam, Fasano, and Dockery—

**HB 3429**—A bill to be entitled An act relating to postsecondary education; creating the "Drug-Free Postsecondary Education Act"; providing definitions; requiring suspension for a specified period by a public educational institution of a student convicted of any offense involving the sale, manufacture, distribution, possession, use, or trafficking of a controlled substance listed in Schedule I, II, or III of s. 893.03, F.S.; providing for forfeiture by the student of certain academic credit otherwise earned or earnable; requiring the public educational institution to revoke credit under certain circumstances; requiring denial for a specified period of state financial aid to a student of a nonpublic educational institution who is convicted of any offense involving the sale, manufacture, distribution, possession, use, or trafficking of a controlled substance listed in Schedule I, II, or III of s. 893.03, F.S.; requiring the nonpublic educational institution to agree to comply with the provisions for denial of financial aid in order to be eligible to have its students receive certain state funds; requiring any applicant for state financial aid to state in the application whether he or she has been convicted of the offense of sale, manufacture, distribution, possession, use, or trafficking of a controlled substance listed in Schedule I, II, or III of s. 893.03, F.S.; providing for construction; prohibiting failure to disclose information of such conviction or making a false statement regarding such information on the application for state financial aid; providing penalties; requiring the Department of Corrections to provide a list no less often than quarterly of all persons convicted of such offenses who are under the supervision of the department pursuant to a sentence of probation or community control; providing for severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Colleges & Universities, Crime & Punishment, and Education Appropriations.

By the Committee on Education Innovation; Representative Melvin—

**HB 3431**—A bill to be entitled An act relating to educational technology; requiring the consolidation and publication of educational technology related statutes and rules; requiring establishment of a technological standard for schools and development of a plan for its implementation; providing requirements for technological upgrades and school design; providing allowable capital expenditures; requiring the pursuit of federal and other funds; requiring establishment of a Technology Services and Products Bank and providing purposes thereof; requiring development of a plan to provide information programs to venues outside the classroom; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education/K-12, Finance & Taxation, and Education Appropriations.

By Representative Livingston—

**HB 3433**—A bill to be entitled An act relating to the East County Water Control District, Lee and Hendry counties; amending chapter 87-477, Laws of Florida, as amended; providing for a change in the date of election of members of the district board of supervisors for each seat to conform with the state general election cycle; providing for extension of terms of the current members of the district board of supervisors; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs.

By Representative Livingston—

**HB 3435**—A bill to be entitled An act relating to Lee County Mosquito Control District; providing for a codified charter of its special acts in a single act and repealing all prior special acts relating to the Lee County Mosquito Control District as required by chapter 97-255, Laws of Florida; creating and establishing a mosquito control district in said county and excepting therefrom certain territory of said county and fixing the boundaries of said district; dividing said district into areas for the purpose of electing members of the board of commissioners; providing for the terms of office and qualifications of the members of the board of commissioners and providing the method and times of elections; prescribing the powers and duties of the board; setting the compensation of the board; providing for audit of books and time of meetings; providing procedure for adopting a budget; giving the board the power to tax and to levy assessments for special benefits and providing the methods, procedure, and limitations thereon; authorizing the board to contract and cooperate with county, state, and other governmental agencies in regard to mosquito control or suppression; charging the Lee County Health Unit or Health Department with the responsibility with reference to mosquito control; determining the status of employees and providing a method by which such responsibility shall terminate and declaring the legislative policy with reference thereto; providing penalty for damage to property; providing that the records shall be filed in the public records of Lee County; providing limitations of actions; granting to the district created herein such powers as are provided for mosquito control districts under the laws of Florida; providing for severability; providing that such act shall be construed liberally; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Finance & Taxation.

**HB 3437**—Withdrawn

By Representative Kelly—

**HB 3439**—A bill to be entitled An act relating to Lake Panasoffkee; creating the Lake Panasoffkee Restoration Council within the Southwest Florida Water Management District; providing for membership and organization; providing for meetings; providing powers and duties; requiring a report; providing for district staff assistance; providing for members' per diem and travel expenses; providing for a Lake Panasoffkee restoration program; providing for tasks of the district, council, Department of Environmental Protection, Game and Fresh Water Fish Commission, and pertinent local governments; directing the district to award restoration contracts contingent on certain funding; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Water & Resource Management.

By Representatives Melvin and Peaden—

**HB 3441**—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; revising provisions

which authorize imposition of an additional tax to pay debt service on bonds issued to finance construction or renovation of a professional sports franchise facility or convention center; removing a condition on use of tax revenues for a convention center; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Tourism, Finance & Taxation, and Transportation & Economic Development Appropriations.

By Representatives Wallace, Fasano, Byrd, Posey, Ziebarth, Putnam, Thrasher, and Feeney—

**HB 3443**—A bill to be entitled An act relating to tax on sales, use, and other transactions; providing that the tax on the sale of an automobile or truck for personal use shall be reduced for a 3-year period; providing for review; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Development & International Trade, Finance & Taxation, and Transportation & Economic Development Appropriations.

By Representative Wallace—

**HB 3445**—A bill to be entitled An act relating to academic degrees; amending s. 817.567, F.S.; providing for disclosure of unrecognized degrees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Colleges & Universities.

By Representatives Wallace, Wise, Fasano, Byrd, Posey, Melvin, Dockery, Ziebarth, Thrasher, and Feeney—

**HJR 3447**—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution relating to the limitation on state revenues.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims, Governmental Rules & Regulations, Finance & Taxation, and General Government Appropriations.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3449**—A bill to be entitled An act relating to trust funds; re-creating the Turnpike Controlled Access Trust Fund within the Department of Transportation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3451**—A bill to be entitled An act relating to trust funds; re-creating the Toll Facilities Revolving Trust Fund within the Department of Transportation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3453**—A bill to be entitled An act relating to trust funds; re-creating the Transportation Disadvantaged Trust Fund within the

Department of Transportation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3455**—A bill to be entitled An act relating to trust funds; re-creating the Highway Safety Operating Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3457**—A bill to be entitled An act relating to trust funds; re-creating the DUI Programs Coordination Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3459**—A bill to be entitled An act relating to trust funds; re-creating the Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3461**—A bill to be entitled An act relating to trust funds; re-creating the Fuel Tax Collection Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3463**—A bill to be entitled An act relating to trust funds; re-creating the Mobile Home and Recreational Vehicle Protection Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3465**—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the Department

of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3467**—A bill to be entitled An act relating to trust funds; re-creating the Working Capital Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3469**—A bill to be entitled An act relating to trust funds; re-creating the License Tax Collection Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3471**—A bill to be entitled An act relating to trust funds; re-creating the Highway Patrol Insurance Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3473**—A bill to be entitled An act relating to trust funds; declaring the findings of the Legislature that specified trust funds in the Department of Transportation are exempt from the automatic-termination requirements of Section 19(f), Article III of the State Constitution; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By the Committee on Transportation & Economic Development Appropriations; Representative Merchant—

**HB 3475**—A bill to be entitled An act relating to trust funds; terminating specified trust funds and fund accounts within the Department of Transportation; providing for the transfer of current balances to general revenue, the paying of outstanding debts and obligations, and the removal of the terminated funds and accounts from the various state accounting systems; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Fiscal Responsibility Council.

By Representative Bronson—

**HB 3477**—A bill to be entitled An act relating to determination of millage; amending s. 200.065, F.S.; authorizing taxing authorities to

adopt the tax levies and budgets of their dependent special taxing districts by single votes, unless a member of the public requests a separate discussion and vote for the tax levy or budget of any such district; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs.

By Representative Bronson—

**HB 3479**—A bill to be entitled An act relating to agriculture emergencies; amending s. 206.605, F.S.; distributing municipal tax on motor fuel to the Agriculture Emergency Eradication Trust Fund; amending s. 206.606, F.S.; distributing fuel sales tax deposited in the Fuel Tax Collection Trust Fund to the Agriculture Emergency Eradication Trust Fund; amending s. 206.608, F.S.; distributing State Comprehensive Enhanced Transportation System Tax deposited in the Fuel Tax Collection Trust Fund to the Agriculture Emergency Eradication Trust Fund; amending s. 336.025, F.S.; distributing local option fuel tax to the Agriculture Emergency Eradication Trust Fund; creating s. 570.0702, F.S.; defining the terms "commercial aircraft" and "commercial vessel"; requiring the collection of a \$5 agriculture pest introduction fee; providing requirements for administration, collection, and distribution; providing appropriations; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Agriculture, Transportation, Transportation & Economic Development Appropriations, and General Government Appropriations.

By Representatives Culp, Effman, and Trovillion—

**HB 3481**—A bill to be entitled An act relating to information resources management; amending s. 186.021, F.S.; providing that certain information resources management projects are not required in agency strategic plans; amending s. 216.181, F.S.; providing that certain information resource management projects are not subject to the mandatory notice and review requirements for amendments to agencies' original approved operating budgets; amending s. 186.022, F.S.; providing that certain coordinating councils and boards are required to develop annual performance reports; amending s. 282.3063, F.S.; modifying the date for submission of the Agency Annual Information Resources Management Report; amending s. 282.310, F.S.; modifying the date by which the State Annual Report on Information Resources Management must be developed; requiring the inclusion of specified information within the report; amending s. 282.3091, F.S.; authorizing members of the State Technology Council to appoint designees to serve on their behalf; amending s. 282.404, F.S.; removing the chair of the Geographic Information Advisory Council as an ex officio member of the Geographic Information Board; requiring the chair to attend all meetings of the Geographic Information Board on behalf of the council; amending s. 215.96, F.S.; providing a technical correction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations and General Government Appropriations.

By Representatives Morroni, Mackey, Bronson, Livingston, Spratt, Saunders, Rojas, Kelly, Peaden, Fasano, Posey, Bainter, Melvin, and Fischer—

**HB 3483**—A bill to be entitled An act relating to polling places; amending s. 102.031, F.S.; revising provisions relating to the solicitation of voters near polling places; providing for the removal of certain persons from polling rooms and polling places and their vicinity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Election Reform and Civil Justice & Claims.

By Representative Safley—

**HB 3485**—A bill to be entitled An act relating to the powers and duties of the Governor; amending s. 14.23, F.S.; regulating the nomination of appointees to federal regional fisheries management councils; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Water & Resource Management.

By Representatives Safley, Chestnut, Ziebarth, D. Prewitt, Kelly, Ball, Ritter, Horan, Jacobs, Dawson-White, Peaden, Fasano, Maygarden, Frankel, and Bush—

**HB 3487**—A bill to be entitled An act relating to dental insurance coverage; creating ss. 627.4295 and 627.65755, F.S., and amending ss. 627.6471, 627.6472, and 641.31, F.S.; requiring health insurance policies and contracts to provide coverage for general anesthesia and hospitalization for certain persons under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Health & Human Services Appropriations.

By Representatives Heyman, Stafford, Culp, Villalobos, Hafner, and Meek—

**HB 3489**—A bill to be entitled An act relating to sexual offenses against children; amending s. 415.504, F.S., relating to mandatory reports of child abuse or neglect; requiring the Department of Children and Family Services to report within a specified period each alleged juvenile offense involving a child victim under 16 years of age to the appropriate law enforcement agency having jurisdiction over the offense; reenacting s. 415.503, F.S., relating to penalties relating to abuse reporting, to incorporate said amendment in a reference; amending s. 794.05, F.S., relating to unlawful sexual activity with certain minors; prohibiting any person at least 21 years of age from engaging in sexual activity with a person 16 or 17 years of age; redefining "sexual activity" to include certain penetration by an object; providing an exception for acts between married persons; providing for nonapplicability of specified provisions to certain persons who have had the disabilities of nonage removed; prohibiting certain acts against a child under 16 years of age, or forcing or enticing a child to commit any such act, involving handling, fondling, or assaulting a child in a lewd, lascivious, or indecent manner, actual or simulated sexual intercourse, deviate intercourse, sexual bestiality, masturbation, sadomasochistic abuse, actual lewd exhibition of genitals, or conduct which simulates sexual battery; prohibiting specified acts of sexual activity upon a child under 16 years of age, or lewd or lascivious acts in the presence of the child; providing penalties; providing that the victim's lack of chastity, prior sexual conduct, or consent is not a defense; providing an exception for maternal breastfeeding; requiring establishment of paternity and providing offender's child support liability, under specified circumstances; repealing s. 800.04, F.S., relating to lewd, lascivious, or indecent assault or act upon or in the presence of a child; amending s. 27.365, F.S., relating to Florida Prosecuting Attorneys Association, s. 90.4025, F.S., relating to admissibility of paternity determination, s. 382.356, F.S., relating to protocol for sharing certain birth control information, s. 409.2355, F.S., relating to programs for prosecution of males over age 21 who commit certain offenses involving girls under age 16, s. 411.243, F.S., relating to Teen Pregnancy Community Initiative, s. 775.082, F.S., relating to penalties, s. 775.084, F.S., relating to violent career criminals, habitual felony offenders, and habitual violent felony offenders, s. 775.0877, F.S., relating to criminal transmission of HIV, s. 775.15, F.S., relating to time limitations, s. 775.21, F.S., relating to sexual predators, s. 787.01, F.S., relating to kidnapping, s. 787.02, F.S., relating to false imprisonment, s. 787.025, F.S., relating to luring or enticing a child, s. 827.04, F.S., relating to contributing to the delinquency or dependency of a minor, s. 914.16, F.S., relating to limits on interviews of certain child abuse and sexual abuse victims, s. 921.0022, F.S., relating to the Criminal Punishment Code offense

severity ranking chart, s. 943.0435, F.S., relating to reporting requirements for sex offenders, s. 943.0585, F.S., relating to court-ordered expunction of criminal history records, s. 943.059, F.S., relating to court-ordered sealing of criminal history records, s. 944.606, F.S., relating to notification upon release of sexual offenders, s. 944.607, F.S., relating to certain notification of information on sex offenders, s. 947.1405, F.S., relating to conditional release program, s. 948.03, F.S., relating to terms and conditions of probation or community control, s. 948.06, F.S., relating to violation of probation or community control, and s. 985.03, F.S., relating to definitions with respect to ch. 985, F.S., relating to delinquency, to conform references to said repeal of s. 800.04, F.S.; amending s. 827.01, F.S.; redefining "caregiver" with respect to ch. 827, F.S., relating to abuse of children; amending s. 827.03, F.S., relating to abuse, aggravated abuse, and neglect of a child; redefining "child abuse"; prohibiting failure by a caregiver to report known or suspected child abuse within a specified time period to the appropriate law enforcement agency having jurisdiction over the offense; providing penalties; reenacting s. 415.5018(4)(b), F.S., relating to family services response system, and s. 787.04(5), F.S., relating to certain offenses of removing minors from state or concealing minors, to incorporate said amendment in references; amending s. 827.071, F.S., relating to sexual performance by a child; prohibiting possession, with intent to promote, of a videotape, video laser disc, audiotape, compact disc, computer diskette, or computer hard drive which in whole or in part includes any sexual conduct by a child, and providing that possession of three or more copies of same is prima facie evidence of intent to promote; providing penalties; reenacting s. 772.102(1)(a), F.S., relating to definition of "criminal activity", s. 794.024(1), F.S., relating to unlawful disclosure of identifying information, s. 895.02(1)(a), F.S., relating to definition of "racketeering activity," and s. 934.07, F.S., relating to authorized interception of wire, oral, or electronic communications, to incorporate said amendments in references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Boyd, Crady, Stafford, Turnbull, and Bloom—

**HB 3491**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 112.363, F.S.; increasing the retiree health insurance subsidy payment and the contribution rate; providing for retroactive payments under certain circumstances; amending s. 121.011, F.S.; clarifying benefits payable under existing systems; amending ss. 121.052, 121.055, and 121.071, F.S.; changing contribution rates for specified classes and subclasses of the system and for the retiree health insurance subsidy; amending s. 121.091, F.S.; providing for benefit computations using dual retirement ages for service in the Senior Management Service Class and the Elected State and County Officer's Class; providing for nullification of a joint annuitant designation in the event of dissolution of marriage; providing for purchase of additional service credit using a deceased member's accumulated leave, out-of-state service, or in-state service under certain circumstances; specifying that a member's spouse at the time of death shall be the member's beneficiary under certain circumstances; amending s. 121.122, F.S.; allowing members with renewed membership in the Senior Management Service Class to purchase additional retirement credit for certain postretirement service; amending s. 121.40, F.S.; changing contribution rates for the supplemental retirement plan for the Institute of Food and Agricultural Sciences at the University of Florida; repealing ss. 121.0505 and 121.0516, F.S.; relating to duplicative contribution rates; directing the Division of Statutory Revision to make described adjustments to the statutes with respect to contribution rates; providing a finding of important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations, Finance & Taxation, and General Government Appropriations.

By Representative Arnold—

**HJR 3493**—A joint resolution proposing an amendment to Section 1 of Article IX and the creation of Section 22 of Article XII of the State Constitution relating to funding for public education.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education Innovation, Civil Justice & Claims, Governmental Rules & Regulations, Finance & Taxation, and Education Appropriations.

By Representatives Ball and Feeney—

**HB 3495**—A bill to be entitled An act relating to crime prevention; creating s. 960.0015, F.S.; providing legislative findings; authorizing the Department of Legal Affairs, state attorneys, Department of Corrections, Department of Juvenile Justice, Parole Commission, State Courts Administrator, county sheriff's and local police departments, and other law enforcement agencies to participate in crime prevention and crime prevention education activities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment.

By Representative Ball—

**HB 3497**—A bill to be entitled An act relating to municipalities; amending s. 166.021, F.S.; providing legislative findings; authorizing municipal governing bodies to expend public funds to attract and retain business enterprises; specifying that such use of public funds constitutes a public purpose and defining the economic development activities that qualify as such public purpose; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Development & International Trade, Community Affairs, and Finance & Taxation.

By Representative Futch—

**HB 3499**—A bill to be entitled An act relating to skateboarding and rollerblading activities; creating s. 316.0085, F.S., providing legislative purpose; providing definitions; providing limitations on liability with respect to governmental entities and public employees with respect to persons who participate in skateboarding or rollerblading activities on property owned or leased by the governmental entity; providing exceptions; providing for liability of independent concessionaires or other persons or organizations for certain injuries or damages; providing for the assumption of certain risks; providing for the effect of certain insurance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and Governmental Operations.

By Representatives Livingston, Morroni, and Barreiro—

**HB 3501**—A bill to be entitled An act relating to small business financial assistance; creating s. 288.95155, F.S.; creating the Florida Small Business Technology Growth Program; requiring the technology development board of Enterprise Florida, Inc., to administer and manage the program; requiring the board to establish a separate account in the Florida Technology Research Investment Fund for certain purposes; specifying sources of moneys in the account; providing program purposes; providing criteria for awards of assistance from the program; requiring the board to annually report on the fiscal status of the program and account; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Development & International Trade and Transportation & Economic Development Appropriations.

By Representative K. Pruitt—

**HB 3503**—A bill to be entitled An act relating to water resource management; amending s. 373.016, F.S.; providing legislative policy relating to state and regional water resource management; encouraging use of water from sources nearest the area of need; amending s. 373.019, F.S.; defining "donor area"; amending s. 373.196, F.S.; clarifying legislative intent that water resource development is a function of the water management districts; amending s. 373.223, F.S.; directing the Department of Environmental Protection or water management district governing board to give significant weight to certain factors when determining the public interest for the transport and use of water across county boundaries or outside the watershed; amending s. 373.229, F.S.; requiring additional information in permit applications for proposed transport and use of water pursuant to s. 373.223(2), F.S.; reenacting s. 373.536(5)(c), F.S.; clarifying intent with respect to language inadvertently omitted by legislative action; amending ss. 373.036, 373.209, 373.226, and 373.421, F.S.; correcting cross references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Water & Resource Management.

By Representatives Crist, Feeney, and Fasano—

**HJR 3505**—A joint resolution proposing an amendment to Section 17 of Article I of the State Constitution relating to excessive punishment.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment.

By Representative Crist—

**HB 3507**—A bill to be entitled An act relating to judicial nominating commissions; repealing s. 43.29, F.S., relating to judicial nominating commissions; creating s. 43.295, F.S.; providing for appointment of members of judicial nominating commissions; prohibiting justices or judges from being members of judicial nominating commissions; prohibiting members of judicial nominating commissions from holding other public office; providing that a member of a judicial nominating commission is not eligible for a certain period for judicial appointment to a judicial office for which the commission has nominating authority; requiring that acts of judicial nominating commissions be made by concurrence of a majority; providing for terms of members of each judicial nominating commission; prohibiting consecutive reappointment to judicial nominating commissions; providing for suspension and removal of members of judicial nominating commissions pursuant to uniform rules of procedure; providing for the expiration of terms of current members of judicial nominating commissions; providing for commencement of terms for initial appointees to judicial nominating commissions; amending s. 440.45, F.S., relating to Office of the Judges of Compensation Claims, to conform a reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representative Constantine—

**HB 3509**—A bill to be entitled An act relating to motor vehicle specialty license plates; amending s. 320.08053, F.S.; revising language with respect to requirements for requests to establish specialty license plates; amending s. 320.08056, F.S.; revising language with respect to specialty license plates to provide criteria for the discontinuance of the issuance of an approved plate; amending s. 320.08062, F.S.; revising language with respect to an annual required audit or report; revising language with respect to annual use fees of special license plates; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation.

By Representative Constantine—

**HB 3511**—A bill to be entitled An act relating to driver license revocations; amending s. 322.26, F.S.; providing for permanent revocation of a driver license for murder resulting from the operation of a motor vehicle and for vehicular homicide; amending s. 322.271, F.S.; providing for petition for reinstatement under certain circumstances; eliminates the ability to apply for reinstatement if a person is convicted of 4 or more DUI violations; creating s. 322.275, F.S.; providing for the authority of the court to authorize reinstatement of permanently revoked driver license; amending s. 322.28, F.S.; revising language with respect to the period of suspension or revocation; conforming current language to the act; creating s. 322.283, F.S.; providing for the commencement of the period of suspension or revocation for incarcerated offenders; providing for notification to the Department of Highway Safety and Motor Vehicles; amending s. 322.34, F.S.; providing that the element of knowledge with respect to the suspension, revocation, cancellation, or disqualification is satisfied when certain notice is sent; creating s. 322.341, F.S.; providing penalties for driving while a license is permanently revoked; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety.

By Representative Livingston—

**HB 3513**—A bill to be entitled An act relating to the Lee County Hyacinth Control District; providing for a codified charter of its special acts in a single act and repealing all prior special acts relating to the Lee County Hyacinth Control District as required by chapter 97-255, Laws of Florida; providing for continuation of a hyacinth control district in the county from the effective date of this act; providing for a governing board; prescribing the powers, organization, and duties of the board; setting the compensation of the board; providing for audit of books and time of meetings; providing for a budget; granting eminent domain; giving the board the power to tax and to levy assessments for special benefits and providing the methods, procedures, and limitations thereon; providing for a limited millage; providing for employees; providing for cooperation with local, state, and federal agencies and entities; providing that the legal authority for the Lee County Hyacinth Control District shall be construed liberally to accomplish continuation of the work of the Lee County Hyacinth Control District; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Finance & Taxation.

**HB 3515**—Withdrawn

By Representative Saunders—

**HB 3517**—A bill to be entitled An act relating to Florida Green Communities; amending s. 260.012, F.S.; revising declaration of policy and legislative intent relating to the "Florida Greenways and Trails Act"; amending s. 260.013, F.S.; revising definitions; amending s. 260.014, F.S.; providing for the Florida Greenways System; amending s. 260.0141, F.S.; providing for the Florida Greenways Program; restricting use of information and planning materials; amending s. 260.015, F.S., relating to acquisition of land; conforming references; amending s. 260.016, F.S., relating to powers of the Department of Environmental Protection; providing for rules; deleting authority to appoint the Florida Recreational Trails Council; authorizing development and implementation of a process for designation of lands for the greenways system; authorizing negotiations with private landowners; authorizing incentives for certain landowners; providing for posting of certain notices of trespass, for which penalties are provided; amending s. 260.018, F.S.; providing for agency recognition of lands designated as greenways and trails; amending ss. 259.041, 216.331, and 259.101, F.S.; deleting provision relating to postaudit of

land acquisitions by the Auditor General; conforming references and cross references; creating s. 261.011, F.S.; creating the "Florida Green Communities Act"; creating s. 261.012, F.S.; providing legislative findings, declarations, and intent; creating s. 261.013, F.S.; providing for sources, distribution, and uses of moneys in the Florida Green Communities Trust Fund; creating s. 261.014, F.S.; providing for criteria and procedures for evaluation and selection of certain projects to be funded by the trust fund; providing responsibilities of the department and the Land Acquisition and Management Advisory Council; creating s. 261.015, F.S.; restricting use of motorized vehicles on lands or waters acquired with trust fund moneys; amending s. 253.787, F.S.; providing for selection of certain greenways acquisition properties by the Florida Greenways Coordinating Council; providing for department rules; amending s. 380.507, F.S.; providing additional power of the Florida Communities Trust; amending s. 380.508, F.S.; providing criteria and procedures for evaluation and selection of certain projects to be funded by the trust fund; providing responsibilities of the governing body of the Florida Communities Trust; providing legislative intent for future appropriations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Environmental Protection, Finance & Taxation, and General Government Appropriations.

By Representative Saunders—

**HB 3519**—A bill to be entitled An act relating to Florida Green Communities; creating s. 261.02, F.S.; providing land acquisition procedures under the "Florida Green Communities Act"; authorizing certain payment latitude where good cause is shown; providing for certain utilization of appraisals; providing for certain disclosure of appraisal reports; providing that title to certain property may be held by a local governmental entity; requiring certain protection of the interests of the state; amending s. 253.025, F.S.; providing a cross reference to conform to the act provisions authorizing certain acquisitions of land at greater than appraisal value; amending s. 259.041, F.S.; authorizing certain disclosure of appraisals to conform to the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Environmental Protection, Finance & Taxation, and General Government Appropriations.

By Representative Saunders—

**HB 3521**—A bill to be entitled An act relating to trust funds; creating the Florida Green Communities Trust Fund within the Department of Environmental Protection; providing for sources of moneys and purposes; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Environmental Protection, Finance & Taxation, and General Government Appropriations.

By Representative Fuller—

**HB 3523**—A bill to be entitled An act relating to landscape designers; amending s. 581.011, F.S.; defining the terms "landscape design" and "landscape designer"; amending s. 581.031, F.S.; granting the Department of Agriculture and Consumer Services certain powers and duties, including rulemaking authority, with respect to landscape designers; amending s. 581.035, F.S.; preempting regulatory authority over landscape designers to the department; amending s. 581.121, F.S.; prohibiting landscape designers from certain activities relating to nursery stock, for which there are penalties; amending s. 581.131, F.S.; providing requirements for application for and renewal of a certificate of registration; providing for fees; providing for exemptions from registration; amending s. 581.141, F.S.; providing for revocation and suspension of certificates of registration; providing for fines; amending s. 581.211, F.S.; providing for imposition of administrative fines upon landscape designers; amending s. 481.329, F.S., relating to exemption

from licensure as a landscape architect; including reference to landscape designers, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Regulation & Consumer Affairs, Governmental Rules & Regulations, and General Government Appropriations.

By Representatives Crow, Flanagan, Cosgrove, Murman, Stafford, Greene, Jacobs, Heyman, Wasserman Schultz, Eggleton, Sindler, Kelly, Horan, and Livingston—

**HB 3525**—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Florida Everglades River of Grass license plate; providing for the distribution of annual use fees received from the sale of such license plates; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation, Finance & Taxation, and General Government Appropriations.

By Representatives Trovillion, Valdes, Ogles, Rojas, and Bainter—

**HB 3527**—A bill to be entitled An act relating to jails; amending s. 951.23, F.S.; providing a criminal penalty for refusing to obey jail rules and regulations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Corrections and Criminal Justice Appropriations.

By Representatives Trovillion, Feeney, Reddick, Sembler, and Bronson—

**HB 3529**—A bill to be entitled An act relating to regional planning councils; amending s. 186.504, F.S.; prescribing membership in the councils; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Betancourt—

**HB 3531**—A bill to be entitled An act relating to a court watcher's program; providing a short title; providing legislative goals; directing the Office of the Attorney General to establish a 2-year pilot program for a court watchers' organization; defining "court watcher"; providing for creation and incorporation of a not-for-profit court watchers' organization entitled the "Alliance for Constitutional and Ethical Court Watch Program;" providing organization and responsibilities of the alliance; providing for a board of directors; prescribing qualifications of board members; providing for a president of the alliance; providing for hiring of alliance employees; providing certain exemptions from part I of chapter 110, relating to state employment; providing for applicability to the president and court watchers of part IV of chapter 110, relating to volunteers; providing for reimbursement for per diem and travel expenses of the board and the president and employees of the alliance; providing for office space; providing certain immunity from liability; providing for funding; requiring the alliance board to submit an annual report to the Legislature, the Attorney General, and the Florida Supreme Court; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims, Governmental Rules & Regulations, and Criminal Justice Appropriations.

**HB 3533**—Withdrawn

By Representative Arnall—

**HB 3535**—A bill to be entitled An act relating to release of employee information by employers; amending s. 768.095, F.S.; expanding

provisions relating to employer immunity from liability and disclosure of information regarding former employees to include immunity from liability for current employers and disclosure of information with respect to current employees; providing specified requirements of employers with respect to a background investigation of an applicant for employment or appointment as a full-time, part-time, or auxiliary law enforcement officer or correctional officer; providing requirements with respect to an authorization to release information; providing a penalty for noncompliance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety and Civil Justice & Claims.

By Representatives Andrews and Feeney—

**HB 3537**—A bill to be entitled An act relating to the unlawful killing of an unborn quick child; amending s. 782.09, F.S.; providing that killing an unborn quick child by injury to the mother which would be murder in any degree if it resulted in the death of the mother is murder in the same degree; providing penalties; providing that the unlawful killing of an unborn quick child by injury to the mother which would be manslaughter if it resulted in the death of the mother is manslaughter; providing penalties; providing that the death of the mother does not bar prosecution under specified circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment and Criminal Justice Appropriations.

By Representative Ritter—

**HB 3539**—A bill to be entitled An act relating to notification of an escaped prisoner; amending s. 960.001, F.S.; requiring that a state correctional facility, county jail, juvenile detention facility, or residential commitment facility immediately notify the sentencing judge of an escaped offender; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Corrections.

By Representative Posey—

**HB 3541**—A bill to be entitled An act relating to Brevard County; amending chapter 94-442, Laws of Florida, as amended by chapter 95-499, Laws of Florida; clarifying the method, procedure, and requirement for performing a rate study to justify a distribution differential surcharge rate imposed by a potable water utility; limiting the amount of distribution differential surcharge a water utility may charge consumers outside municipal boundaries; requiring a rate study for increases in excess of the limit; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Finance & Taxation.

By Representative Livingston—

**HB 3543**—A bill to be entitled An act relating to the Bonita Springs Fire Control and Rescue District, Lee County; providing for codification of special laws relating to the Bonita Springs Fire Control and Rescue District pursuant to s. 24, chapter 97-255, Laws of Florida; providing legislative intent; codifying, reenacting, and amending chapters 65-1828, 68-90, 69-1242, 87-447, 96-500, and 96-545, Laws of Florida; providing additional powers; repealing prior special acts related to the Bonita Springs Fire Control and Rescue District consisting of chapters

65-1828, 68-90, 69-1242, 81-414, 96-500, and 96-545, Laws of Florida, and s. 6 of chapter 87-447, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs and Finance & Taxation.

By Representative Posey—

**HB 3545**—A bill to be entitled An act relating to arthropod control; establishing a study commission for the purpose of investigating problems associated with, and the feasibility of eradication of, the arthropod diptera *bibionidae plecia neartica*; providing membership of the study commission; providing terms of commission members; requiring the Department of Agriculture and Consumer Services to provide assistance, facilities, and staff to the study commission; providing for recommendations of the study commission; providing for a report; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Littlefield, Morroni, and Byrd—

**HB 3547**—A bill to be entitled An act relating to homestead tax exemptions; amending s. 196.011, F.S.; deleting requirements for social security numbers to be included on applications for homestead exemptions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate.

By Representatives Littlefield and Fasano—

**HB 3549**—A bill to be entitled An act relating to government; creating the “Citizen Participation in Government Act” and providing for its purposes; providing immunity from civil liability; providing procedures for the judiciary to respond to lawsuits relating to the constitutional right to petition the government for redress of grievances; defining terms; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and Governmental Operations.

By Representative Dawson-White—

**HB 3551**—A bill to be entitled An act relating to discharging firearms in public; amending s. 790.15, F.S.; reclassifying from a misdemeanor of the first degree to a felony of the third degree the offense of knowingly discharging a firearm in any public place, on or over the right-of-way of a paved public road, highway, or street, or over occupied premises; providing penalties; providing enhanced penalties for habitual offenders; providing exceptions; conforming a reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety.

By Representatives Crow and Fasano—

**HB 3553**—A bill to be entitled An act relating to victim assistance; requiring that the Crime Victims’ Services Office of the Department of Legal Affairs establish a toll-free telephone number to provide information on the status of a person accused or convicted of a crime; providing for the information to be available to a crime victim, relative of a homicide victim, or witness of a crime; providing requirements for operating the telephone number; requiring the Crime Victims’ Services Office to provide updated address information for a victim, relative, or witness to specified agencies; requiring that the Crime Victims’ Services Office verify information used to notify a victim, relative, or witness; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Crow—

**HB 3555**—A bill to be entitled An act relating to employee organizations; amending s. 447.303, F.S.; limiting deductions by employers of dues of certain employee organizations under certain circumstances; providing exceptions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Villalobos—

**HB 3557**—A bill to be entitled An act relating to collection of court costs and fines; creating s. 938.30, F.S.; providing for supplementary proceedings for enforcement of court-ordered payment of financial obligations in criminal cases; providing for examination under oath regarding a person’s ability to pay financial obligations in a criminal case; providing for service or actual notice of orders to appear; providing for taking of testimony; providing for orders that nonexempt property in the hands of another be applied toward satisfying an obligation; providing for a judgment of civil lien; providing for applicability of the Uniform Fraudulent Transfer Act in certain collection matters; providing for payment schedules; providing for civil contempt sanctions for failure to appear or comply with certain orders; providing for specified enforcement costs and fees to be assessed; providing for attorney’s fees; providing for the use of special masters; providing for construction; permitting use of the new provisions in addition to or in lieu of other provisions of law; providing for certain court orders; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims and Criminal Justice Appropriations.

By the Committee on Children & Family Empowerment; Representative Lacasa—

**HB 3559**—A bill to be entitled An act relating to an integrated children’s information system; providing legislative findings and intent; directing the State Technology Council to assess the feasibility of creating such a system; requiring a report; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representatives Goode, Crist, and Effman—

**HB 3561**—A bill to be entitled An act relating to insurance fraud; amending s. 440.09, F.S.; conforming references to judges of compensation claims and administrative law judges; amending s. 440.105, F.S.; specifying a schedule of criminal penalties for certain prohibited activities; providing definitions; providing a period of limitations for undertaking certain proceedings; amending s. 624.416, F.S.; providing additional criteria for the Department of Insurance to consider in issuing certain certificates of authority; amending s. 624.418, F.S.; providing an additional criterion for suspending or revoking certain certificates of authority; amending s. 626.989, F.S.; providing for reports of insurance fraud to the Division of Insurance Fraud of the Department of Insurance; amending s. 626.9891, F.S.; requiring insurers to provide for investigation of fraudulent claims; requiring insurers to adopt an anti-fraud plan; providing criteria and procedures; requiring insurers to file an anti-fraud report with the department; specifying contents; authorizing the department to adopt rules; creating s. 626.9892, F.S.; establishing the Anti-Fraud Reward Program in the department; providing for awarding rewards under certain circumstances; exempting certain department actions from Florida Administrative Code requirements; amending s. 627.062, F.S.; requiring the department to consider certain additional factors in reviewing rate filings; amending s. 627.072, F.S.; requiring consideration of certain additional factors in making and using rates; amending s. 627.411, F.S.; requiring the department to consider certain additional factors in determining the reasonableness of benefits in relation to premiums charges; creating s. 641.3915, F.S.; requiring certain health maintenance organizations to provide for investigation of

fraudulent claims; requiring health maintenance organizations to adopt an anti-fraud plan; providing criteria and procedures; requiring health maintenance organizations to file an anti-fraud report with the department; specifying contents; authorizing the department to adopt rules; amending s. 817.234, F.S.; specifying a schedule of criminal penalties for committing insurance fraud or insurance solicitation; providing definitions; providing a period of limitations for undertaking certain proceedings; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Financial Services, Crime & Punishment, Governmental Rules & Regulations, and General Government Appropriations.

By Representatives Rodriguez-Chomat, Barreiro, and Dockery—

**HB 3563**—A bill to be entitled An act relating to the Legal Immigrant's Temporary Income Bridge Program; amending s. 10, ch. 97-259, Laws of Florida; providing that unused program funds for the current fiscal year may be used for food stamps for legal immigrants who are in the naturalization and citizenship process or in the process of seeking an exemption thereto and who are children, disabled persons, or persons 65 years of age or older; specifying that such assistance shall be provided on the basis of demonstrated need; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hill—

**HB 3565**—A bill to be entitled An act relating to health quality assurance; amending s. 20.42, F.S.; deleting the responsibility of the Division of Health Policy and Cost Control within the Agency for Health Care Administration for reviewing hospital budgets; abolishing the Health Care Board; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; requiring background screening for an applicant for licensure of certain laboratories; authorizing the use of certain body hair for drug testing; amending s. 154.304, F.S., relating to health care for indigent persons; revising definitions; amending s. 381.026, F.S.; requiring that a patient's bill of rights be made available by a facility that provides emergency services or outpatient services; amending s. 381.0261, F.S.; requiring that a patient's bill of rights includes additional information; creating s. 381.60225, F.S.; requiring background screening for an applicant for certification to operate an organ procurement organization, a tissue bank, or an eye bank; amending s. 383.302, F.S., relating to the regulation of birth centers; revising definitions to reflect the transfer of regulatory authority from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 383.305, F.S.; requiring background screening for an applicant for licensure of a birth center; amending ss. 383.308, 383.309, 383.31, 383.312, 383.313, 383.318, 383.32, 383.324, 383.325, 383.327, 383.33, 383.331, F.S., relating to the regulation of birth centers; conforming provisions to reflect the transfer of regulatory authority to the Agency for Health Care Administration; amending s. 390.015, F.S.; requiring background screening for an applicant for licensure of an abortion clinic; amending s. 391.206, F.S.; requiring background screening for an applicant for licensure to operate a pediatric extended care center; amending s. 393.063, F.S., relating to developmental disabilities; providing a definition; amending s. 393.067, F.S.; requiring background screening for an applicant for licensure to operate an intermediate care facility for the developmentally disabled; amending s. 394.4787, F.S., relating to the regulation of mental health facilities; conforming a cross-reference to changes made by the act; amending s. 394.4788, F.S., relating to mental health services; updating provisions relating to duties of the agency formerly performed by the Health Care Cost Containment Board; amending s. 394.67, F.S., relating to community alcohol, drug abuse, and mental health services; revising definitions; amending s. 394.875, F.S.; requiring background screening for an applicant for licensure of a crisis stabilization unit or residential treatment facility; amending ss. 394.876, 394.877, 394.878, 394.879, 394.90, 394.902, 394.903, 394.904, 394.907, F.S., relating to the

regulation of mental health facilities; conforming provisions to reflect the transfer of regulatory authority to the Agency for Health Care Administration; amending s. 395.002, F.S., relating to hospital licensing and regulation; providing definitions; creating s. 395.0055, F.S.; requiring background screening for an applicant for licensure of a facility operated under ch. 395, F.S.; amending s. 395.0163, F.S.; requiring that the agency review plans and specifications for certain outpatient facilities; amending s. 395.0193, F.S.; revising certain requirements for peer review of physicians; providing requirements for reporting disciplinary actions to the agency; authorizing the agency to levy administrative fines; amending s. 395.0197, F.S.; revising provisions relating to internal risk management; defining the term "adverse incident"; requiring certain reports to the agency; including minors in provisions relating to notification of sexual misconduct or abuse; requiring facility corrective action plans; providing penalties; amending s. 395.0199, F.S.; requiring background screening for an applicant for registration as a utilization review agent; amending s. 395.1055, F.S.; requiring the Agency for Health Care Administration to adopt rules to assure that, following a disaster, licensed hospital facilities are capable of serving as shelters only for patients, staff, and the families of staff; providing for applicability; providing for a report by the agency to the Governor and Legislature; transferring, renumbering, and amending ss. 626.941, 626.942, 626.943, 626.944, 626.945, F.S., relating to the regulation of health care risk managers; conforming provisions to reflect the transfer of regulatory authority from the Department of Insurance to the Agency for Health Care Administration; providing for the Health Care Risk Manager Advisory Council to be appointed by the Director of Health Care Administration; amending s. 395.401, F.S.; providing for certain reports relating to charity care and formerly made to the Health Care Board to be made to the agency; amending s. 395.602, F.S., relating to rural hospitals; conforming a cross-reference to changes made by the act; amending s. 395.701, F.S., relating to the Public Medical Assistance Trust Fund; revising definitions; amending s. 400.051, F.S.; conforming a cross-reference; amending s. 400.071, F.S.; requiring background screening for an applicant for licensure of a nursing home; amending s. 400.411, F.S.; requiring background screening for an applicant for licensure of an assisted living facility; amending ss. 400.414, 400.417, 400.4174, 400.4176, F.S., relating to the regulation of assisted living facilities; providing additional grounds for denial, revocation, or suspension of a license; requiring background screening for employees hired on or after a specified date; amending ss. 400.461, 400.462, F.S., relating to the regulation of home health agencies; conforming a cross-reference; revising definitions; amending s. 400.464, F.S.; revising licensure requirements for home health agencies; specifying services that are exempt from the licensure requirements; amending s. 400.471, F.S.; requiring background screening for an applicant for licensure of a home health agency; revising requirements for license renewal; amending s. 400.474, F.S.; providing penalties for operating a home health agency without a license; amending s. 400.484, F.S.; providing a schedule for the agency to use in imposing fines for various classes of violations; amending s. 400.487, F.S.; revising requirements for patient assessment and services; amending s. 400.491, F.S.; revising requirements for maintaining patient records; amending s. 400.497, F.S.; revising requirements for the agency in establishing minimum standards; amending s. 400.506, F.S.; requiring background screening for an applicant for licensure of a nurse registry; amending s. 400.509, F.S.; requiring background screening for an applicant for registration as a service provider who is exempt from licensure; amending s. 400.512, F.S.; revising screening requirements for home health agency personnel; amending s. 400.555, F.S.; requiring background screening for an applicant for licensure of an adult day care center; creating s. 400.5572, F.S.; requiring background screening for employees of an adult day care center hired on or after a specified date; amending s. 400.606, F.S.; requiring background screening for an applicant for licensure of a hospice; amending s. 400.619, F.S.; revising background screening requirements for an applicant for licensure of an adult family care home; providing screening requirements for designated relief persons; amending s. 400.702, F.S.; deleting a requirement that certain intermediate-level care facilities accept only certain low-income residents who receive subsidized housing vouchers; amending s. 400.801, F.S.; requiring background screening for an applicant for

licensure of a home for special services; amending s. 400.805, F.S.; requiring background screening for an applicant for licensure of a transitional living facility; amending ss. 408.05, 408.061, 408.062, 408.063, F.S., relating to the State Center for Health Statistics and the collection and dissemination of health care information; updating provisions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Board and the former Department of Health and Rehabilitative Services; authorizing the agency to conduct data-based studies and make recommendations; deleting obsolete provisions; amending s. 408.07, F.S.; deleting definitions made obsolete by the repeal of requirements with respect to hospital budget reviews; amending s. 408.08, F.S.; deleting provisions requiring the Health Care Board to review the budgets of certain hospitals; deleting requirements that a hospital file budget letters; deleting certain administrative penalties; amending s. 408.40, F.S.; removing a reference to the duties of the Public Counsel with respect to hospital budget review proceedings; amending ss. 409.2673, 409.9113, F.S., relating to health care programs for low-income persons and the disproportionate share program for teaching hospitals; updating provisions to reflect the abolishment of the Health Care Cost Containment Board and the assumption of its duties by the agency; amending ss. 409.905, 440.13, 455.654, F.S., relating to mandatory Medicaid services, medical services and supplies, and referring health care providers; conforming cross-references to changes made by the act; amending ss. 458.331, 459.015, 461.013, 468.505, F.S., relating to disciplinary action against certain medical professionals and activities exempt from regulation; updating provisions and conforming cross-references; amending s. 483.101, F.S.; requiring background screening for an applicant for licensure of a clinical laboratory; amending s. 483.106, F.S., relating to a certificate of exemption; correcting terminology; amending s. 483.30, F.S.; requiring background screening for an applicant for licensure of a multiphasic health testing center; amending ss. 641.55, 766.1115, F.S., relating to internal risk management programs and contracts with governmental contractors; updating provisions and conforming cross-references to changes made by the act; repealing ss. 395.403(9), 407.61, 408.003, 408.072, 408.085, 455.661, F.S., relating to reimbursement of state-sponsored trauma centers, studies by the Health Care Board, appointment of members to the Health Care Board, review of hospital budgets, budget reviews of comprehensive inpatient rehabilitation hospitals, and designated health care services; providing for retroactive application of provisions of the act relating to repeal of review of hospital budgets; transferring the internal risk manager licensure program from the Department of Insurance to the Agency for Health Care Administration; providing appropriations and authorizing positions; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Health Care Standards & Regulatory Reform, Law Enforcement & Public Safety, Governmental Rules & Regulations, and Health & Human Services Appropriations.

By Representatives Reddick and Trovillion—

**HB 3567**—A bill to be entitled An act relating to affordable residential accommodations establishments; creating ss. 510.011, 510.013, 510.021, 510.032, 510.033, 510.034, 510.036, 510.037, 510.038, 510.041, 510.042, 510.101, 510.105, 510.111, 510.121, 510.122, 510.123, 510.131, 510.132, 510.133, 510.134, 510.136, 510.138, 510.141, 510.142, 510.143, 510.151, 510.161, 510.162, 510.191, 510.201, 510.211, 510.212, 510.215, 510.221, 510.241, 510.245, 510.247, 510.251, 510.261, 510.262, 510.265, 510.281, 510.282, 510.285, 510.401, 510.402, 510.403, 510.404, 510.405, 510.406, 510.407, 510.408, 510.409, 510.411, 510.412, 510.413, 510.414, 510.415, 510.416, and 510.417, F.S.; providing a short title; providing definitions; providing application; providing duties of the Department of Children and Family Services; providing for nondiscrimination; providing for form and service of notices; providing for a right of entry; specifying the relationship of resident and proprietor; specifying certain rights; providing for rules; providing for variances; providing penalties; providing for state preemption; providing for establishment of certain rules; providing for notice; requiring maintenance of a register; specifying an obligation of good

faith; providing for disclosure; providing for rent; providing for duration of tenancies; providing for rental rates; providing for posting and advertising of rates; providing penalties; providing for access by residents; specifying a proprietor's obligation to maintain premises; providing for liability for property of residents; specifying a resident's obligation to maintain a dwelling unit; providing for proprietor's access to a dwelling unit; providing for casualty damage; providing a right of action for damages; specifying conduct on certain premises; providing for refusal of service; providing for proprietor's rights relating to disorderly conduct on premises; providing for detention and arrest; providing certain immunity from liability; prohibiting obtaining lodging fraudulently; providing a penalty; providing for rules of evidence in prosecutions; providing for rights of a proprietor relating to theft of property; providing for detention and arrest; providing penalties; providing a penalty for employee theft; providing for disposition of unclaimed property; providing for telephone surcharges under certain circumstances; providing for firesafety; specifying safety regulations; authorizing the department to adopt rules for certain buildings; providing for inspection; specifying sanitary regulations; requiring a permit to operate; providing penalties under certain circumstances; specifying allocation of proceeds; specifying permit as prerequisite for certain local permits; providing for issuance of permits; providing for permit fees; providing for revocation of permits; providing for fines; providing procedures; specifying certain prohibited acts; providing for application; providing for complaints by aggrieved parties; providing for prosecution for certain violations; providing duties of the State Attorney; providing penalties; providing for enforcement; providing for issuing citations; requiring certain persons to assist the department in enforcement; providing a proprietor's right to lockout and interruption of utilities under certain circumstances; providing for a proprietor's right to recover premises; providing for a writ of distress; providing for venue and jurisdiction; providing for certain complaints; providing requirements; providing for a prejudgment writ of distress; providing levy under a writ of distress; specifying the form of such writ; providing for inventory under such writ; providing exemptions from such writ; providing for third party claims under such writ; providing for judgment for the plaintiff under certain circumstances; providing for judgment for the defendant under certain circumstances; providing for sale of certain property under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Real Property & Probate, Civil Justice & Claims, Crime & Punishment, Community Affairs, and Health & Human Services Appropriations.

By Representative Reddick—

**HB 3569**—A bill to be entitled An act relating to prosecutions; amending s. 27.365, F.S., relating to the annual report by the Florida Prosecuting Attorneys Association regarding prosecutions; requiring inclusion of certain additional information in the report on victim notification; requiring inclusion of certain dispositional information for cases involving domestic violence, violations of injunctions for protection against domestic violence or repeat violence, stalking, or sexual battery; specifying that the report shall be made available for public inspection; removing obsolete provision; conforming a reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety.

By the Committee on Law Enforcement & Public Safety; Representative Futch—

**HB 3571**—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 20.201, F.S.; providing additional authority for the executive director of the department with respect to the organization of the department; providing for the department to be reorganized into specified programs; deleting the division structure of the department; amending s. 943.01, F.S.; revising the short title of ch. 943, F.S.; amending s. 943.03, F.S., relating to department employees;

conforming provisions to changes made by the act; deleting obsolete provisions; requiring the department to develop and maintain an information system; amending s. 943.04, F.S.; redesignating the Division of Criminal Investigation within the department as the Criminal Justice Investigations and Forensic Science Program; providing for supervision of the program; providing additional duties of the department with respect to the operation of the program; amending s. 943.05, F.S.; redesignating the Division of Criminal Justice Information Systems within the department as the Criminal Justice Information Program; providing for supervision of the program; amending s. 943.051, F.S., relating to criminal justice information; conforming provisions to changes made by the act; authorizing the department to enter into contracts; providing that disclosure of confidential information pursuant to such a contract does not waive any requirements of confidentiality; amending s. 943.0515, F.S., relating to criminal history records of minors; conforming provisions to changes made by the act; conforming cross references; amending s. 943.052, F.S.; deleting a requirement that certain agencies inform the department of persons incarcerated or released from jail; amending ss. 943.0525, 943.053, 943.055, 943.056, and 943.08, F.S., relating to criminal justice information, criminal history records, and the Criminal and Juvenile Justice Information Systems Council; conforming provisions to changes made by the act; amending s. 943.09, F.S.; redesignating the Division of Criminal Justice Standards and Training within the department as the Criminal Justice Professionalism Program; providing for supervision of the program; amending ss. 943.10, 943.133, 943.17, 943.173, 943.25, 943.32, and 943.355, F.S., relating to definitions, employment qualifications, training programs, examinations, the Criminal Justice Standards and Training Trust Fund, the criminal analysis laboratory system, and the Florida Crime Laboratory Council; conforming provisions to changes made by the act; amending s. 943.35, F.S.; deleting the eligibility for state funding for a criminal analysis laboratory; amending s. 938.07, F.S., relating to a fine imposed for driving under the influence; conforming provisions to changes made by the act; amending s. 316.640, F.S., relating to enforcement of traffic laws; conforming provisions to changes made by the act; repealing ss. 943.26 and 943.381, F.S., relating to the Division of Local Law Enforcement Assistance and the Division of Staff Services within the department; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations, Governmental Rules & Regulations, and Criminal Justice Appropriations.

By Representative Lynn—

**HB 3573**—A bill to be entitled An act relating to drug-free workplaces; amending s. 112.0455, F.S.; authorizing certain persons to take or collect specimens for drug tests; authorizing employers to use certain federal drug-free program test results and forms instead of certain drug testing; providing criteria; amending s. 440.09, F.S.; providing for rebutting a presumption under certain circumstances; including alcohol testing within a provision establishing a presumption; amending s. 440.102, F.S.; clarifying a definition; deleting a requirement for subjecting job applicants to limited drug testing; authorizing certain persons to take or collect specimens for drug tests; prescribing certain causes of action relating to certain activities or actions of employers; providing criteria; providing limitations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Lynn—

**HB 3575**—A bill to be entitled An act relating to public universities; requiring public universities to include fine arts courses grades when calculating grade-point averages for certain purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Wallace—

**HB 3577**—A bill to be entitled An act relating to the General Appropriations Act; providing a short title; amending s. 216.178, F.S.;

requiring the reporting in the General Appropriations Act of certain information relating to household income and the funding of state government; providing applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Crist, Futch, Ball, Lynn, Trovillion, Bainter, Flanagan, Putnam, Harrington, Villalobos, Morse, Wallace, Byrd, King, Murman, Littlefield, Argenziano, Bloom, Fasano, Melvin, Crady, Kelly, Jones, Jacobs, Cosgrove, Garcia, and Rodriguez-Chomat—

**HB 3579**—A bill to be entitled An act relating to claims for damages occurring to a person engaged in criminal conduct; creating the "Crime Victim's Protection Act"; creating s. 960.298, F.S.; barring recovery of damages for personal injury or injury to property in cases when the claimant has incurred the damages while engaged in certain criminal conduct and seeks recovery from the person or other entity that was the victim or object of the claimant's criminal conduct; providing for the court to stay the civil action during the pendency of the criminal action which forms the basis for the defense; providing an exception; providing for award of attorney's fees, costs, and other expenses to the victim or object of the claimant's criminal conduct when the recovery is barred; providing a definition; providing for applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Effman, Stafford, Ritter, Wasserman Schultz, Rayson, Tobin, Mackenzie, Lippman, Eggelletion, Lacasa, Silver, Ritchie, Frankel, Jacobs, Edwards, Spratt, D. Prewitt, Fischer, Ogles, Heyman, Wallace, and Brown—

**HB 3581**—A bill to be entitled An act relating to child care facilities; creating the "Jeremy Fiedelholz Safe Day Care Act"; amending s. 402.319, F.S.; increasing a penalty for violations relating to licensure or operation of a child care facility or family day care home; providing a penalty for making other misrepresentations to certain persons regarding such licensure or operation or for violations relating to the staff-to-children ratio or the number of children at the facility; amending s. 921.0022, F.S.; providing for ranking of violations on the offense severity ranking chart; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Family Law & Children, Children & Family Empowerment, Crime & Punishment, and Criminal Justice Appropriations.

By Representatives K. Pruitt, Sembler, Mackey, Putnam, Cosgrove, Kelly, Sublette, Ogles, Valdes, Barreiro, Bainter, Melvin, Casey, Flanagan, Futch, Fasano, Tamargo, Burroughs, Wallace, Peaden, Byrd, Goode, Minton, Lawson, Posey, Ball, King, Murman, Bradley, Ritchie, and Dockery—

**HB 3583**—A bill to be entitled An act relating to eminent domain; amending s. 73.0511, F.S.; providing requirements with respect to prelitigation; providing for prelitigation notice to fee owners; providing for exchange of appraisals; providing for prelitigation notice to business operators; providing a procedure with respect to certain prelitigation offers; providing requirements with respect to written offers; amending s. 73.071, F.S.; revising language with respect to compensation which may be awarded by determination of a jury; amending s. 337.25, F.S., to conform to the act; correcting a cross reference; amending s. 337.27, F.S.; removing language with respect to the power of the Department of Transportation to acquire certain property; amending ss. 127.01, 166.401 and 337.271, F.S.; correcting cross references to conform to the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation, Real Property & Probate, Community Affairs, and Transportation & Economic Development Appropriations.

By Representatives Peaden, Miller, Turnbull, Maygarden, and Brooks—

**HB 3585**—A bill to be entitled An act relating to hospitals; creating s. 395.3036, F.S.; providing that a private corporation that leases a public hospital or other public health care facility is not acting on behalf of the entity that owns the facility for purposes of statutory and constitutional public records requirements unless specified conditions are met; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representative Livingston—

**HB 3587**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; revising definitions of employment and wages to incorporate additional exclusions; amending s. 443.091, F.S.; clarifies certain benefit eligibility conditions relating to services at educational institutions; amending s. 443.191, F.S.; limiting use of certain moneys in the Unemployment Compensation Trust Fund for a time certain; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bitner—

**HB 3589**—A bill to be entitled An act relating to certified public accountants; creating s. 473.3065, F.S.; establishing the Certified Public Accountant Education Minority Assistance Program; providing for scholarships to eligible students; providing for the funding of scholarships; requiring Board of Accountancy rules; providing a penalty for certain violations; creating an advisory council to assist in program administration; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Business Regulation & Consumer Affairs, Governmental Rules & Regulations, and General Government Appropriations.

**HB 3591**—Withdrawn

By Representatives Chestnut, Stafford, and Murman—

**HB 3593**—A bill to be entitled An act relating to school buses; requiring that buses purchased after a specified date and used in transporting certain students be equipped with safety belts that comply with specified standards; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Education/K-12, Transportation, and Education Appropriations.

By Representatives K. Pruitt, Sembler, Mackey, Putnam, Cosgrove, Kelly, Sublette, Ogles, Valdes, Barreiro, Bainter, Melvin, Casey, Flanagan, Futch, Fasano, Tamargo, Burroughs, Wallace, Peaden, Byrd, Goode, Minton, Lawson, Ball, King, Murman, Bradley, Ritchie, and Dockery—

**HB 3595**—A bill to be entitled An act relating to public records exemptions; creating s. 73.05115, F.S.; providing an exemption from public records requirements with respect to certain business records which are required to be disclosed as a part of eminent domain prelitigation procedures; providing for review and repeal; providing a statement of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs, Governmental Operations, and Real Property & Probate.

By the Committee on Financial Services; Representatives Safley, Flanagan, Effman, Edwards, Rayson, Dennis, Cosgrove, Wiles, Bainter, Tamargo, and Lawson—

**HB 3597**—A bill to be entitled An act relating to insurance for family day care homes; creating s. 627.70161, F.S.; providing legislative intent;

providing definitions; providing an exclusion from liability coverage under residential property insurance policies for losses arising out of the operation of a family day care home; prohibiting cancellation, refusal to renew, or denial of coverage for residential property insurance due to family day care operations; providing exceptions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the Economic Impact Council.

By the Committee on Education Innovation; Representatives Melvin, Dockery, Edwards, Wise, and Wallace—

**HB 3599**—A bill to be entitled An act relating to educational facilities; amending s. 235.056, F.S.; authorizing boards to rent or lease certain buildings or space within buildings for conversion to use as educational facilities; providing for funding; requiring school board adoption of a resolution certifying that specified conditions have been met; amending s. 201.24, F.S., relating to exemption from excise tax on documents; conforming provisions; amending s. 236.25, F.S., relating to school district tax for capital outlay; conforming provisions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Rules & Regulations and Finance & Taxation.

By Representative Merchant—

**HB 3601**—A bill to be entitled An act relating to road designations; designating a portion of State Road A1A in the towns of Ocean Ridge and Manalapan in Palm Beach County as a state historic and scenic highway; providing definitions; prohibiting the expenditure of state funds for certain purposes; providing for the application of the act; directing the Division of Historical Resources to provide for the erection of suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Posey—

**HB 3603**—A memorial to the Congress of the United States opposing the Biosphere Reserves designation of the Man and the Biosphere Program and urging that the proposed Biodiversity Treaty not be ratified by the United States.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Environmental Protection and Rules, Resolutions, & Ethics.

By Representative Fasano—

**HB 3605**—A bill to be entitled An act relating to public hospital meetings and records; amending s. 395.3035, F.S.; defining "strategic plan" for purposes of provisions which provide for the confidentiality of such plans and of meetings relating thereto; providing an exemption from open meetings requirements for meetings at which such plans are modified or approved by the hospital's governing board; providing for future review and repeal; providing conditions for the early release of transcripts of meetings at which such plans are discussed; providing a finding of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By Representative Dennis—

**HB 3607**—A bill to be entitled An act relating to the Florida Evidence Code; amending s. 90.612, F.S., relating to mode and order of interrogation of witnesses and presentation of evidence; providing for the court to protect a witness under 14 years of age from undue harassment or embarrassment; providing for the court to ensure that questions are stated in a form appropriate to the witness's age and

understanding and to forbid certain questions upon objection by a party; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Civil Justice & Claims.

By Representative Miller—

**HB 3609**—A bill to be entitled An act relating to pesticide spraying; prohibiting aerial application of certain substances for certain purposes; providing a penalty; requiring certain legislative committees and the Department of Agriculture and Consumer Services to conduct workshops for certain purposes; requiring a report; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Agriculture and General Government Appropriations.

By Representative Miller—

**HB 3611**—A bill to be entitled An act relating to obtaining property by false personation; amending s. 817.02, F.S.; providing that obtaining property by false personation is a second-degree felony; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fuller—

**HB 3613**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.031, F.S.; exempting property used as a travel center/truck stop facility from the tax on the rental or lease of, or grant of a license to use, real property; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Geller—

**HB 3615**—A bill to be entitled An act relating to amusement devices; amending s. 616.242, F.S.; providing safety standards for amusement devices; providing purpose and intent; providing definitions; requiring adoption of specified standards; prohibiting the operation of amusement devices without a permit and affidavit of compliance; providing for testing of amusement rides; requiring inspections; providing fees; providing exemptions; prescribing inspections standards for amusement devices; authorizing employees of the Department of Agriculture and Consumer Services to inspect and investigate; requiring owners to inspect amusement devices; authorizing the department to adopt rules; providing for the training of operators, attendants, and maintenance persons of amusement devices; prohibiting specified bungy operations; providing for issuance of orders, enforcement, and penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Crist—

**HJR 3617**—A joint resolution proposing amendments to Sections 1, 2, and 3 of Article V of the State Constitution relating to the judicial branch of government.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Culp, Effman, Trovillion, and Gay—

**HB 3619**—A bill to be entitled An act relating to computers; creating s. 14.025, F.S., relating to the Governor; recognizing the potential computer problems that may occur in state agencies due to the date change necessitated by the year 2000; authorizing the Governor to reassign resources in the event of a likely computer failure; authorizing the Administration Commission to reassign resources if an agency headed by the Governor and Cabinet or a Cabinet officer is likely to experience a computer failure; requiring the reassignment of resources to conform with the law governing budget amendments; requiring the

reassignment of personnel to conform with the law governing employee interchanges; requiring legislative approval if a reassignment of resources is necessary for more than 90 days; authorizing legislative veto of the reassignment of state resources; providing for repeal of the powers granted to the Governor; amending ss. 112.24 and 112.27, F.S., relating to employee interchange programs; clarifying that state agencies may exchange employees; creating s. 282.4045, F.S.; providing legislative findings relating to the adequacy of the state's actions to prevent year 2000 computer failures; protecting the state and units of local government against legal actions that result from a year 2000 computer date calculation failure; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Posey—

**HB 3621**—A bill to be entitled An act relating to administrative procedure; creating s. 120.572, F.S., the "Agency Accountability Act"; providing for court orders imposing personal liability upon a state agency employee, as defined, who, by act or omission has made a determination affecting the substantial interests of a party based upon a grossly negligent assessment of material fact or an erroneous interpretation, under specified circumstances; prescribing conditions and guidelines relating to liability of the agency employee; providing for waiver of sovereign immunity; specifying applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Rules & Regulations and Civil Justice & Claims.

By Representative Tamargo—

**HB 3623**—A bill to be entitled An act relating to the State Athletic Commission; amending s. 548.003, F.S.; providing that the location of the commission shall be in Tampa; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Tourism and General Government Appropriations.

By Representative Posey—

**HB 3625**—A bill to be entitled An act relating to attorneys employed by the state; providing that such attorneys shall be governed by the Code of Ethics of The Florida Bar; directing the Attorney General to adopt rules for hearings and suspensions with respect to attorneys who violate the code; providing a timeframe for the adoption of rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Posey—

**HB 3627**—A bill to be entitled An act relating to the governing organization for high school athletics; amending s. 232.62, F.S.; requiring the administrative regions to be divided into districts; amending s. 232.63, F.S.; increasing the membership of the board of directors; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ball—

**HB 3629**—A bill to be entitled An act relating to road designations; designating a portion of State Road 528 in Brevard County as the "Kennedy Space Center Highway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Transportation and Governmental Operations.

By the Committee on Financial Services; Representatives Safley, Cosgrove, Rayson, Bainter, Tamargo, and Lawson—

**HB 3631**—A bill to be entitled An act relating to hurricane loss mitigation; creating s. 215.559, F.S.; creating the Hurricane Loss Mitigation Clearing Trust Fund; providing for administration; specifying moneys to be credited to the fund; requiring appropriation of moneys in the fund; providing purposes; specifying uses of such moneys by specified officers and agencies; providing allocations; requiring reports; providing that fund balances carry over to future years; amending s. 215.555, F.S.; requiring the State Board of Administration annually to transfer specified amounts from the Florida Hurricane Catastrophe Fund to the Hurricane Loss Mitigation Clearing Trust Fund; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Finance & Taxation and Transportation & Economic Development Appropriations.

By Representative Crady—

**HB 3633**—A bill to be entitled An act relating to Bradford County; authorizing Bradford County to transfer and use legally restricted fuel taxes for unrestricted purposes for all fiscal years through 1996-1997; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs, Finance & Taxation, and Transportation & Economic Development Appropriations.

By Representatives Sindler and Crist—

**HB 3635**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk member" to include any member who is employed as an assistant state attorney; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations and General Government Appropriations.

By Representatives Miller, Crist, Littlefield, Bradley, Tamargo, Byrd, Wallace, and Murman—

**HB 3637**—A bill to be entitled An act relating to the Hillsborough County School District; providing for a seven-member district school board, with five members elected from single-member residence areas and two members elected from the county at large; providing for implementation at specified elections; providing that school board members shall continue to be elected on a nonpartisan basis and shall be elected in conjunction with the first primary and general elections; providing qualifying and other applicable election procedures; providing for future reapportionment of the single-member residence areas; repealing ss. 1, 2, 3, 4, 5, 6, and 7 of chapter 65-945, Laws of Florida, as amended, relating to the district school board; providing for a referendum; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Lippman—

**HB 3639**—A bill to be entitled An act relating to motor vehicle damage disclosure; requiring manufacturers to disclose to dealers certain damage to new motor vehicles; requiring dealers to disclose such damage to buyers; providing manufacturers' liability with respect to damage occurring before motor vehicles are delivered to dealers; providing buyers' remedies for failure to make required disclosures; providing dealers' remedies for failure of manufacturers to make required repairs; providing definitions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Murman—

**HB 3641**—A bill to be entitled An act relating to eradication of agricultural pests; prescribing additional duties of the Department of Agriculture and Consumer Services and the Department of Health with respect to programs of emergency application of pesticide for eradication of plant pests; requiring studies of pesticides and of health issues relating to their use; requiring development of a system for informing the public of such programs and requiring public and other notice of certain programs of pest eradication; providing for information to be furnished to health-care providers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bush—

**HB 3643**—A bill to be entitled An act relating to capital punishment; abolishing the death penalty; providing for resentencing of certain persons previously sentenced to death; providing penalties for such persons of life imprisonment without eligibility for parole; amending s. 775.082, F.S., relating to penalties; eliminating the death penalty as an alternative to life imprisonment without eligibility for parole in capital cases; providing penalties; amending s. 775.084, F.S., relating to violent career criminals and habitual felony offenders and habitual violent felony offenders; conforming language; removing provision relating to imposition of the death penalty; amending s. 775.15, F.S., relating to time limitations; providing that crimes designated as capital felonies shall be considered life felonies for purposes of that section; conforming language; amending s. 782.04, F.S., relating to murder; conforming language; removing provision relating to determination of death sentence; amending s. 790.161, F.S., relating to offenses involving destructive devices; removing provision relating to death penalty; providing for resentencing of persons previously sentenced to death; providing penalties; amending s. 794.011, F.S., relating to sexual battery; eliminating a cross reference to conform to changes made by the act; amending s. 893.135, F.S., relating to mandatory sentences for trafficking offenses; eliminating cross references to conform to changes made by the act; repealing s. 913.13, F.S., relating to jurors in capital cases; repealing s. 921.141, F.S., relating to proceedings to determine whether death penalty is imposed for capital felonies; repealing s. 921.142, F.S., relating to proceedings to determine whether death penalty is imposed for capital drug trafficking felonies; repealing s. 922.07, F.S., relating to proceedings when person under sentence of death appears to be insane; amending s. 925.035, F.S., relating to appointment and compensation of attorney in capital cases; conforming language; eliminating provisions relating to appeals from judgments imposing the death penalty; amending s. 948.01, F.S.; prohibiting court placement of capital offender on probation or into community control; eliminating reference to offenses punishable by death; repealing Rules 3.850, 3.851, and 3.852, Florida Rules of Criminal Procedure, relating to motion to vacate, set aside, or correct sentence, collateral relief after death sentence has been imposed, and capital postconviction public records production, respectively, to the extent of inconsistency with the act; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment, Governmental Operations, and Criminal Justice Appropriations.

By Representative Harrington—

**HJR 3645**—A joint resolution proposing an amendment to Section 4, Article VII of the State Constitution, relating to taxation of real property; authorizing the partial-year assessment of real property.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Fuller, King, Wise, Thrasher, Arnall, Hill, and Crady—

**HB 3647**—A bill to be entitled An act relating to the City of Jacksonville, amending chapter 92-341, Laws of Florida, as amended; amending the Charter of the City of Jacksonville, providing that the

mayor's veto power shall not apply to zoning variances and quasi-judicial decisions by the city council; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs.

By Representatives Fuller, King, Wise, Thrasher, Arnall, Hill, and Crady—

**HB 3649**—A bill to be entitled An act relating to the City of Jacksonville Beach, Duval County; amending chapter 27643, Laws of Florida, 1951, as amended, the Employees' Retirement System of the City of Jacksonville Beach; specifying that benefits may be payable to a participant's Deferred Retirement Option Program; specifying that the option selection for payment of benefits shall be final at the time a benefit payment is assigned to the Deferred Retirement Option Program; specifying death benefits applicable to Deferred Retirement Option Program participants; providing overview of the Deferred Retirement Option Program; providing eligibility criteria; providing for procedures for election of participation; providing for benefits payable; providing for death benefits; providing limitations on employment after participation; specifying contribution rates; specifying that Deferred Retirement Option Program participation does not exempt such participants from the forfeiture of benefits under the provisions of s. 112.3173, F.S.; providing for administration of the program; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs.

By Representatives Fuller, King, Wise, Thrasher, Arnall, Hill, and Crady—

**HB 3651**—A bill to be entitled An act relating to Duval County; providing that specified general law supersedes special acts applicable to Duval County with respect to school district personnel; providing for certain employees to retain rights under special acts; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Community Affairs.

By Representative Reddick—

**HB 3653**—A bill to be entitled An act relating to expunction of criminal history records; creating the "Nathan McCall and Anderson C. Hill, II, Forgiveness Act"; creating s. 943.0587, F.S.; providing for mandatory expunction of certain felony offense records upon application to the Department of Law Enforcement under specified circumstances when the offenses were committed by a person under 22 years of age who has not committed any additional felony offenses for at least 6 years; providing an exception for capital felonies, life felonies, and felonies of the first degree; providing for application for expunction; providing for an application fee; providing for adoption of rules by the Department of Law Enforcement; providing for construction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment, Governmental Rules & Regulations, and Criminal Justice Appropriations.

By Representative Posey—

**HB 3655**—A bill to be entitled An act relating to state funds; amending s. 370.12, F.S.; providing a condition under which the annual allocation of funds to the Save the Manatee Trust Fund shall be reduced;

providing specified restrictions on the expenditure of state funds; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Water & Resource Management and General Government Appropriations.

By Representative Sindler—

**HB 3657**—A bill to be entitled An act relating to culpable negligence; prohibiting a person who has been entrusted with the care and custody of state assets from causing losses of the assets in excess of \$100,000 through culpable negligence; providing penalties; requiring that notice of specified provisions relating to the crime of culpable negligence causing public financial injury be included in a state contract with another person or corporation in excess of \$50,000; providing that failure to provide the notice does not constitute a defense to the crime; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Crime & Punishment, Governmental Operations, and General Government Appropriations.

By Representative Sindler—

**HB 3659**—A bill to be entitled An act relating to trust funds; creating the Crime Stoppers Trust Fund; providing for administration of the fund; providing for termination; providing for review; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Law Enforcement & Public Safety, Finance & Taxation, and Criminal Justice Appropriations.

By Representatives Garcia and Ritchie—

**HB 3661**—A bill to be entitled An act relating to authority of the State Board of Administration to invest public funds; amending s. 215.47, F.S.; revising provisions relating to the investment of public funds and the securities authorized for such investment; providing for the loan of securities; repealing s. 215.455, F.S., relating to the loan of securities, to conform; amending s. 215.50, F.S.; correcting a cross reference, to conform; amending s. 215.515, F.S.; eliminating review by the Department of Management Services of charges of the board for investment services rendered; amending s. 215.835, F.S.; authorizing the board to adopt rules necessary to carry out the provisions and intent of the State Bond Act; amending s. 159.825, F.S.; authorizing the board to adopt rules necessary to carry out provisions of law relating to the terms applicable to the issuance of taxable bonds; amending s. 190.016, F.S.; correcting a cross reference, to conform; amending s. 218.407, F.S.; revising provisions relating to local government resolutions required for deposit of surplus funds in the Local Government Surplus Funds Trust Fund; providing rulemaking authority to the board with respect to investment of moneys in the trust fund; creating s. 218.412, F.S.; authorizing the board to adopt rules necessary to carry out the provisions of part IV of chapter 218, F.S., relating to investment of local government surplus funds; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Westbrook, King, Jones, Tobin, and Fasano—

**HB 3663**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.09511, F.S.; revising language with respect to jai alai taxes; providing that jai alai permitholders should pay their fair share of taxes but should not be subjected to taxes in an amount greater than their operating earnings; defining the term "operating earnings"; amending s. 550.01215, F.S.; providing a time period for jai alai permitholders to apply for certain permits or amendments to permits; providing a time period for the Division of Pari-mutuel Wagering to issue such permits; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Regulated Services, Finance & Taxation, and General Government Appropriations.

By the Committee on Financial Services; Representatives Safley, Flanagan, Bainter, Tamargo, Sanderson, Lawson, and Wiles—

**HB 3665**—A bill to be entitled An act relating to property insurance; amending s. 627.351, F.S.; prohibiting further geographical expansion of Florida Windstorm Underwriting Association eligibility; amending ss. 627.7013 and 627.7014, F.S.; providing findings relating to the moratorium on hurricane-related cancellations and nonrenewals of personal lines residential policies and condominium association policies, respectively; deleting provisions relating to accelerated exposure reduction plans; providing circumstances under which the sections are inoperative; delaying the future repeal date of the sections; creating s. 627.7019, F.S.; requiring certain notice on insurance applications and renewal premium notices; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Finance & Taxation and General Government Appropriations.

By Representative Fischer—

**HB 3667**—A bill to be entitled An act relating to assisted living facilities; amending s. 400.402, F.S.; revising definitions; amending s. 400.404, F.S.; providing additional exemptions from licensure as an assisted living facility; amending ss. 400.407 and 400.408, F.S.; reorganizing and revising provisions relating to unlawful facilities; providing penalties; requiring report of unlicensed facilities by health care practitioners and facility owners or administrators; providing for disciplinary actions; revising provisions relating to referral to unlicensed facilities; providing for certain notice to service providers; amending s. 400.411, F.S.; revising requirements for an initial application for license; providing for a fee; amending s. 400.414, F.S.; revising authority and grounds for denial, revocation, or suspension of licenses or imposition of administrative fines; specifying terms for review of proceedings challenging administrative actions; amending s. 400.415, F.S.; requiring a facility to post notice of a moratorium on admissions; providing for rules establishing grounds for imposition of a moratorium; amending s. 400.417, F.S.; providing for coordinated expiration of a facility's license; revising requirements for license renewal; providing for rules; amending s. 400.4174, F.S.; providing requirements for background screening of facility owners, administrators, financial officers, corporate officers or board members, and employees; providing for provisional licensure of a facility under certain circumstances, while screening is completed; providing for rules; amending s. 400.4176, F.S.; revising time requirement for notice of change of administrator; amending ss. 400.418, 400.422, 400.452, and 400.036, F.S.; correcting references and cross references; amending s. 400.419, F.S.; revising procedures relating to violations and penalties; increasing administrative fines for specified classes of violations; authorizing doubled fines under certain circumstances; providing fines for unlicensed operation of a facility and for failure to apply for a change of ownership license; authorizing a survey fee to cover the cost of certain complaint investigations; providing for corrective action plans to correct violations; expanding dissemination of information regarding facilities sanctioned or fined; amending s. 400.428, F.S.; providing for surveys to determine compliance with facility standards and residents' rights; amending s. 400.474, F.S.; providing for disciplinary action against a home health agency or employee providing services in an unlicensed assisted living facility or adult family-care home; amending s. 400.618, F.S.; revising the definition of "adult-family care home"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Elder Affairs & Long Term Care, Community Affairs, Governmental Rules & Regulations, and Health & Human Services Appropriations.

By Representatives Sindler, Starks, Brooks, Sublette, Posey, Constantine, Trovillion, Feeney, and Reddick—

**HB 3669**—A bill to be entitled An act relating to Orange County; amending chapter 96-521, Laws of Florida, relating to the issuance of

special alcoholic beverage vendor licenses to entities located within an entertainment/resort complex located in Orange County and to the conditions therefor; redefining a term and expanding boundaries; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Sembler—

**HB 3671**—A bill to be entitled An act relating to timber management; amending s. 253.034, F.S.; requiring the Division of Forestry of the Department of Agriculture and Consumer Services to assess the feasibility of managing timber in land management plans; providing for the reimbursement of management services performed by the division; amending s. 259.035, F.S.; requiring the Land Acquisition and Management Advisory Council to consider timber management as a feasible multiple-use strategy; amending s. 373.591, F.S.; specifying circumstances under which the land managing agency must provide an explanation to the management review team concerning the management of lands; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bronson—

**HB 3673**—A bill to be entitled An act relating to aquaculture; amending s. 253.72, F.S.; establishing wild harvest setbacks from shellfish leases; amending s. 370.06, F.S.; authorizing issuance of special activity licenses for the use of special gear or equipment and the importation and possession of sturgeon and nonindigenous saltwater species; authorizing permit consolidation procedures; providing activity license terms; amending s. 370.081, F.S.; revising provisions relating to the importation of nonindigenous marine plants and animals; amending s. 370.10, F.S.; authorizing the harvesting or possession of saltwater species for experimental, scientific, education, and exhibition purposes; amending s. 370.16, F.S.; establishing wild harvest setbacks from shellfish leases; amending s. 370.26, F.S.; defining the term "marine aquaculture facility" and revising definition of the term "marine aquaculture product"; authorizing delegation of regulatory authority for certain aquaculture facilities; amending s. 373.046, F.S.; clarifying jurisdiction over aquaculture activities; amending s. 403.814, F.S.; clarifying provisions relating to aquaculture general permits; amending s. 597.005, F.S.; providing for a list of prioritized research needs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Melvin—

**HB 3675**—A bill to be entitled An act relating to cruelty to animals; amending s. 828.12, F.S.; providing for the mandatory forfeiture of animals by persons found guilty of, or having had adjudication of guilt withheld for, cruelty to animals; providing a first degree misdemeanor penalty for unlawful possession of an animal in violation of the act; providing exceptions; authorizing the issuance of a court order allowing possession of animals under specified circumstances; providing for construction of the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hafner—

**HB 3677**—A bill to be entitled An act relating to hospitals; creating the "Community Hospital Protection Act"; providing for the sale, lease, exchange, conveyance, merger, or other transfer of the assets or management authority of a nonprofit hospital to a for-profit enterprise; providing legislative intent; providing definitions; providing prerequisites to such a transfer, including the provision by the nonprofit hospital of certain statements and notice, and the conduct of public hearings; providing for the Attorney General or a state attorney to challenge such a proposed transaction through an action for declaratory judgment; providing a statement of circumstances in which a court may declare the transaction wholly or partly invalid; providing limitations upon the applicability of the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Melvin—

**HB 3679**—A bill to be entitled An act relating to parking permits for the disabled; amending s. 320.0848, F.S.; specifying persons eligible for such permits; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ball—

**HB 3681**—A bill to be entitled An act relating to capital investment tax credits; creating s. 220.191, F.S.; providing definitions; providing for a credit against the corporate income tax for certain capital costs; providing requirements; providing limitations; providing for certification of eligibility by the Office of Tourism, Trade, and Economic Development; providing duties of the Department of Revenue; authorizing the office to develop certification guidelines and application materials; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Diaz de la Portilla—

**HB 3683**—A bill to be entitled An act relating to elections; amending s. 98.471, F.S.; requiring photo identification of electors at the polls; amending ss. 101.045, 101.111, 101.22, 101.47, 101.49, and 101.5608, F.S., relating to various voting procedures at the polls, to conform; creating s. 104.036, F.S.; providing a penalty for using fraudulent photo identification; creating s. 101.637, F.S.; prohibiting an individual from witnessing more than three absentee ballots for any given election; providing exceptions; providing a penalty; amending s. 101.64, F.S.; revising the form of the voter's certificate to include a space for witnesses to provide a required identification number; amending s. 101.65, F.S.; including in the instructions to absent electors the requirement that witnesses provide a number from an authorized form of identification; amending ss. 101.68 and 163.511, F.S., relating to canvassing of absentee ballots and referenda on special neighborhood improvement districts, respectively, to conform; amending s. 104.045, F.S.; increasing the penalty applicable to vote selling; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Agriculture; Representative Bronson—

**HB 3685**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; reviving and readopting ss. 500.12, 500.121, F.S., relating to food permits and building permits and to penalties for violations relating to such permits; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Tourism; Representatives Barreiro, Bullard, D. Prewitt, Harrington, Greene, Sindler, Culp, Livingston, Melvin, and Bronson—

**HB 3687**—A bill to be entitled An act relating to the "Florida Entertainment Industry Growth Act"; creating s. 288.125, F.S.; providing a short title; creating s. 288.1251, F.S.; providing definitions; creating s. 288.1252, F.S.; creating the Entertainment Florida Council within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing purpose, membership, terms, organization, powers, and duties of the council; renumbering and amending s. 288.12285, F.S.; correcting a reference; creating s. 288.1254, F.S.; creating the Office of Entertainment Industry Commissioner; providing procedure for appointment of the Entertainment Industry Commissioner; providing powers and duties of the office; creating s. 288.1255, F.S.; requiring the Office of Tourism, Trade, and Economic Development to adopt rules by which it may make specified expenditures for expenses incurred in connection with the performance of the duties of the Office of the Entertainment Industry Commissioner; requiring approval of such rules by the Comptroller; requiring an annual report; authorizing the solicitation, acceptance, and use of specified goods and services by employees and representatives of

the Office of the Entertainment Industry Commissioner; providing certain requirements with respect to claims for expenses; providing a penalty for false or fraudulent claims; providing for civil liability; creating s. 288.1256, F.S.; creating the Florida Entertainment Industry Incentive Grant Program; providing purpose of the program; providing for the development of grant criteria; providing for the administration and distribution of grant funds; requiring specified documentation prior to the release of funds; renumbering and amending s. 288.055, F.S.; redesignating the Florida Film and Television Investment Trust Fund as the Florida Entertainment Industry Incentive Grant Program Trust Fund; providing for use of the trust fund; requiring the maintenance of a specified trust fund balance; specifying funds from which initial grants may be awarded; specifying sources from which the trust fund may receive moneys; creating s. 288.1258, F.S.; authorizing application for approval by the Office of the Entertainment Industry as a qualified production company for purposes of receiving sales tax exemptions and refunds; providing application procedure; providing for denial and revocation of a certificate of exemption; providing a penalty for falsification or unauthorized use of an application for certificate of exemption; providing categories of qualification for certificate of exemption; providing for renewal of a certificate of exemption; providing for duties of the Department of Revenue with respect to sales tax exemption to qualified production companies; creating the Florida Entertainment Industry Model Permitting Task Force; providing purpose of the task force; providing for appointment of members to the task force; amending s. 14.2015, F.S., revising purposes of the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; amending s. 212.031, F.S., relating to the lease or rental of or license in real property; revising language with respect to property used as an integral part of the performance of qualified production services; amending s. 212.06, F.S., relating to the tax on sales, use, and other transactions; revising language with respect to the exemption for fabrication labor used in the production of a qualified motion picture; amending s. 212.0602, F.S., which exempts the purchase or lease of materials, equipment, and other items by specified educational entities, institutions, or organizations from the sales and use tax under certain limited circumstances; expanding the exemption to include real or personal property and support operations of such educational institutions; conforming references; amending s. 212.08, F.S.; revising the partial exemption from the tax on sales, use, and other transactions for master tapes, records, films, or video tapes to include entertainment industry production services and equipment within the exemption; specifying the rate of the exemption; providing a limitation on refunds; providing procedure for obtaining refunds; revising the term "amounts paid for the tangible elements"; clarifying definitions; providing definitions; requiring the Office of Entertainment Industry Commissioner to keep specified records; requiring an annual report to the Legislature; repealing s. 212.08(12), F.S., on October 1, 2008; providing for review by the Legislature prior to repeal; amending s. 212.20, F.S., relating to the distribution of proceeds from the tax on sales, use, and other transactions; providing for the transfer of specified tax proceeds to the Entertainment Industry Grant Program Trust Fund; amending s. 213.053, F.S., relating to confidentiality and information sharing by the Department of Revenue; providing for the sharing of specified information; amending ss. 288.108 and 288.90152, F.S.; correcting cross references; repealing s. 212.08(5)(f), F.S.; repealing the exemption from the tax on sales use and other transactions for specified motion picture or video equipment, and specified sound recording equipment, effective January 1, 1999; repealing s. 288.051, F.S., which provides a short title; repealing s. 288.052, F.S., relating to legislative findings and intent with respect to the "Florida Film and Television Investment Act"; repealing s. 288.053, F.S., relating to the Florida Film and Television Investment Board; repealing s. 288.054, F.S., relating to the administration and powers of the Florida Film and Television Investment Board; repealing s. 288.056, F.S., relating to conditions for film and television investment by the board; repealing s. 288.057, F.S., which requires an annual report by the board; repealing s. 288.1228, F.S., relating to the direct-support organization authorized by the Office of Tourism, Trade, and Economic Development to assist in the promotion and development of the entertainment industry; repealing s. 288.12285, F.S., relating to confidentiality of identities of donors to the direct-support organization; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Tourism; Representatives Barreiro, Bullard, D. Prewitt, Harrington, Greene, Sindler, Culp, Livingston, Melvin, and Bronson—

**HB 3689**—A bill to be entitled An act relating to historical resources; amending s. 267.021, F.S.; revising the definition of “historic property” or “historic resource”; repealing s. 267.16(4), F.S., which requires the Division of Historical Resources of the Department of State to maintain the Florida Folklife Archives; repealing s. 267.162, F.S., which creates the Florida Folklife Grant Program within the Division of Historical Resources of the Department of State; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Merchant—

**HB 3691**—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; revising provisions which authorize imposition of an additional tax to pay debt service on bonds issued to finance construction or renovation of a professional sports franchise facility or convention center; authorizing use of tax revenues for operation and maintenance of a convention center for a specified period; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Heyman, Bronson, Spratt, D. Prewitt, Wasserman Schultz, and Cosgrove—

**HB 3693**—A bill to be entitled An act relating to agricultural sales; amending s. 570.55, F.S.; revising the “Florida Avocado, Mango, Lime, and Tomato Sales Law” to the “Florida Tropical or Subtropical Fruit and Vegetables Sales Law”; revising provisions to apply to tropical or subtropical fruit and vegetables; prescribing use of certain containers in shipping or distribution; providing an exception; providing penalties; amending s. 603.161, F.S.; revising a definition; increasing a penalty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Stabins—

**HB 3695**—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.461, F.S.; providing liability for unpaid taxes, penalty, and interest if an owner of property classified as agricultural fails to notify the property appraiser when the property becomes ineligible for such classification; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bainter—

**HB 3697**—A bill to be entitled An act relating to commercial inland marine insurance; amending s. 627.410, F.S.; clarifying an exemption from certain form filing requirements for commercial inland marine insurance risks; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Stabins—

**HB 3699**—A bill to be entitled An act relating to personnel of the school system; amending ss. 230.23 and 230.33, F.S., relating to powers and duties of district school boards and school superintendents; providing that salary schedules may be based upon certification by the National Board for Professional Teaching Standards; providing requirements for counting years of service; amending s. 231.173, F.S.; providing for certification and specialization coverage for out-of-state teachers certified by the National Board for Professional Teaching Standards; creating s. 231.176, F.S., relating to National Board for Professional Teaching Standards certification; providing for payment of certification fees and approved leave from funds appropriated to the Department of Education; providing eligibility requirements for receipt of funding; providing school district requirements; amending s. 231.24,

F.S.; authorizing renewal of certificates through national certification; creating s. 231.315, F.S.; providing for the establishment of model peer assistance and review programs; providing minimum standards; providing for technical assistance and allocations; amending s. 231.600, F.S., relating to the School Community Professional Development Act; including additional professional development activities; requiring an assessment of expenditures for professional development; amending s. 236.0811, F.S.; providing requirements for educational training for support staff; providing for additional days of inservice training; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Fuller, King, Wise, Thrasher, Arnall, Hill, and Crady—

**HB 3701**—A bill to be entitled An act relating to pollution control; creating s. 403.08701, F.S.; restricting authority of the Department of Environmental Protection to issue permits for construction of facilities for disposal, storage, or treatment of hazardous waste in Duval County; restricting locations in Duval County where hazardous waste transfer facilities may be owned, operated, or constructed; providing application to pending permits and proposed transfer stations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Melvin and Ogles—

**HB 3703**—A bill to be entitled An act relating to travel agencies; creating the Travel Agency Fair Treatment Act; providing findings and intent; providing definitions; providing purposes of the act; providing for construction; prohibiting the cancellation, failure to renew, or alteration of appointments without good cause; requiring notification of termination or change in appointment; providing contents of notice; providing applicability of notice provisions; providing for damages; providing for applicability with respect to arbitration agreements; providing for temporary injunction; providing severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Edwards, Burroughs, Dockery, and Mackey—

**HB 3705**—A bill to be entitled An act relating to public records; creating s. 252.943, F.S.; providing an exemption from public records requirements for information provided by a stationary source subject to the Accidental Release Prevention Program under the federal Clean Air Act; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Wasserman Schultz, Dawson-White, Casey, Ziebarth, Lippman, Fasano, D. Prewitt, and Bloom—

**HB 3707**—A bill to be entitled An act relating to residential swimming pools; creating ch. 515, F.S., the Florida Residential Swimming Pool Barriers Act; providing legislative findings and intent; providing definitions; providing requirements for residential swimming pool barriers; providing penalties; providing for rules; providing exemptions; providing for a drowning prevention education program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Dockery, Bloom, Brown, Casey, Putnam, Argenziano, Chestnut, Murman, Lynn, Dennis, Bullard, Brennan, Kosmas, Wasserman Schultz, Edwards, and Albright—

**HB 3709**—A bill to be entitled An act relating to voyeurism; creating s. 810.14, F.S.; prohibiting a person from entering onto real property without authorization for the purpose of secretly observing the occupant of a building or structure; providing a penalty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Lacasa—

**HB 3711**—A bill to be entitled An act relating to privately operated correctional facilities; amending s. 957.04, F.S.; requiring such facilities to operate under the same conditions as publicly operated facilities; creating s. 957.061, F.S.; requiring the creation of a cooperative transfer agreement; amending s. 957.08, F.S.; revising standards for use in determining capacity requirements for such facilities; prohibiting such facilities from housing certain inmates; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Jones—

**HB 3713**—A bill to be entitled An act relating to firearms-related licenses; amending ss. 493.6111, 493.6113, F.S.; extending the licensure period for certain licenses; amending s. 790.06, F.S.; extending the licensure period for concealed weapons licenses; requiring persons who conduct or instruct certain gun safety and licensure courses to maintain records; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Frankel—

**HB 3715**—A bill to be entitled An act relating to acquired immunodeficiency syndrome (AIDS); amending s. 381.0035, F.S.; expanding AIDS instruction required in the educational course for health care facilities' employees and clients; amending s. 381.0038, F.S.; authorizing the State Health Officer to establish sterile needle exchange projects; providing project criteria; requiring a report; providing an exemption from statutes relating to use or possession of drug paraphernalia; amending s. 381.004, F.S.; providing a definition; expanding information to be provided prior to obtaining informed consent for an HIV test; providing for informed consent of the legal guardian of an incapacitated person; revising provisions relating to notification of test results; authorizing release of preliminary HIV test results under certain conditions; deleting provisions relating to posttest counseling; providing additional persons to whom the identity of a test subject may be disclosed; providing additional exceptions to informed consent requirements; requiring annual registration of testing programs; providing for fees; deleting obsolete terminology; authorizing inspections and investigations by officers or employees of the Department of Health; directing the department to institute court proceedings under certain circumstances; providing requirements with respect to the department's protocol for HIV testing and counseling; amending s. 384.25, F.S.; deleting provisions relating to protocols and to certain notifications, to remove duplications and conform to the act; amending s. 455.2226, F.S.; expanding AIDS instruction required in the educational course for funeral directors and embalmers; amending ss. 775.0877 and 960.003, F.S., to conform to the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Edwards, Burroughs, Dockery, and Mackey—

**HB 3717**—A bill to be entitled An act relating to clean air; creating ss. 252.934, 252.935, 252.936, 252.937, 252.938, 252.939, 252.940, 252.941, 252.942, 252.944, and 252.945, F.S.; providing for the Florida Accidental Release Prevention and Risk Management Planning Act; providing a short title and purpose; defining terms; directing the Department of Community Affairs to seek delegation from the United States Environmental Protection Agency to implement the Accidental Release Prevention Program under the federal Clean Air Act; providing for funding and fees; providing enforcement authority; providing penalties; authorizing the department to conduct inspections and audits; providing for tort liability; providing for a start-up loan; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Littlefield—

**HB 3719**—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.081, F.S.; requiring the Public

Service Commission to extend time periods and reschedule events by the number of days a utility is late in providing discovery; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Futch—

**HB 3721**—A bill to be entitled An act relating to workers' compensation; amending ss. 440.13, 440.134, F.S.; providing for review of patients' needs for chiropractic services in certain situations; deleting obsolete provisions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Bainter and Fasano—

**HB 3723**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.01215, F.S.; revising language with respect to periods of operation for certain permitholders; amending s. 550.0951, F.S.; providing that no admission tax shall be imposed on any free passes or complimentary cards for admission to pari-mutuel events; revising the tax on handle for thoroughbred racing; amending s. 550.5251, F.S.; revising the hours of operation for thoroughbred racing permitholders; amending s. 550.6305, F.S.; revising language with respect to intertrack wagering and guest track payments; providing a procedure when required payments are not made; providing recovery for the nondefaulting party; amending s. 550.2625, F.S.; revising language with respect to the purse requirements for certain horseracing events; reenacting s. 550.2625(2)(e), F.S., relating to the sum of purse accounts used for Florida Owners' Awards; repealing s. 550.09515, F.S., relating to thoroughbred horse taxes and abandoned interest in permit for nonpayment of taxes; repealing s. 550.2425, F.S., relating to a racing laboratory at horse racetrack facilities; repealing s. 550.615(11), F.S., relating to certain thoroughbred permitholders who conduct intertrack wagering; repealing s. 550.655, F.S., relating to backside medical and health benefits; amending ss. 550.26352, 550.334, and 550.3551, F.S.; conforming cross references to the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Melvin, Peaden, and Burroughs—

**HB 3725**—A bill to be entitled An act relating to North Bay Fire Control District, Okaloosa County; recreating and reenacting the North Bay Fire Control District as an independent fire control district operating pursuant to the terms of chapter 191, Florida Statutes; describing the boundaries of said district; establishing a governing body for the district; authorizing the district to levy up to 2 mills of ad valorem tax as previously approved by referendum vote; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Brennan—

**HB 3727**—A bill to be entitled An act relating to the Child Care Executive Partnership; amending s. 409.178, F.S.; conforming title of the partnership program; revising family income eligibility requirements; revising membership of the partnership; authorizing administration of child care purchasing pool funds by the state resource and referral agency; providing for development of procedures for disbursement of funds through the child care purchasing pools; deleting references to pilot child care purchasing pools; revising parent fee requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bradley—

**HB 3729**—A bill to be entitled An act relating to solid waste management; amending s. 403.7045, F.S.; authorizing the Department of Environmental Protection to allow recycling and reuse of ash residue which meets department standards adopted by rule; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Byrd—

**HB 3731**—A bill to be entitled An act relating to health insurance; amending s. 636.003, F.S.; providing a definition; amending s. 636.009, F.S.; providing an additional condition upon issuance of a certificate of authority under certain circumstances; amending s. 636.016, F.S.; requiring the provision of certain information; amending s. 636.035, F.S.; clarifying limitations on certain provider arrangements; amending s. 636.038, F.S.; specifying procedures and requirements for grievance reporting and resolution; providing duties and responsibilities of the Department of Insurance; amending s. 627.638, F.S.; prohibiting refusal to pay certain benefits under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Byrd, Merchant, and Stabins—

**HB 3733**—A bill to be entitled An act relating to offenders under correctional supervision; amending s. 948.03, F.S., relating to probation and community control; requiring probationers and community controllees on supervision for controlled substance violations or certain firearm offenses to submit to random searches without a warrant; prohibiting a probationer or community controllee from having “contact,” as defined, with the victim unless authorized by the court; reenacting s. 947.23(6), F.S., relating to action of Parole Commission upon arrest of parolee, s. 948.001(5), F.S., relating to definition of “probation” with respect to chapter 948, F.S., and s. 958.03(4), F.S., relating to definition of “probation” with respect to specified provisions in chapter 958, F.S., to incorporate said amendment in references; amending s. 948.06, F.S., relating to violations of probation or community control; authorizing law enforcement officers and probation or community control officers to search without a warrant, or request search without a warrant of, the person, residence, or property of probationers and community controllees under certain circumstances; prohibiting the exclusion or suppression of evidence from trials for subsequent offenses by offenders on probation, community control, or parole, or from hearings for violation of probation, community control, or parole, under certain circumstances when there was reasonable suspicion to believe that at the time of the search the offender violated the law or the terms of probation, community control, or parole; providing an exception with respect to offenders on probation, community control, or parole for substance violations or certain firearms offenses; prohibiting the exclusion or suppression of evidence from hearings for violation of supervision of offenders on probation, community control, or parole for controlled substance violations or certain firearm offenses when such exclusion or suppression is based solely on insufficient suspicion or reason to believe a violation by the offender occurred, under certain circumstances; reenacting s. 948.01(9), (11)(b), and (13)(b), F.S., relating to circumstances when a court may place a defendant on probation or into community control, and s. 958.14, F.S., relating to violation of probation or community control program, to incorporate said amendment in references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fuller—

**HB 3735**—A bill to be entitled An act relating to insurance; creating s. 624.4351, F.S.; prohibiting certain insurers from terminating certain contracts between insurers and agents unless just cause exists; providing definitions; providing a cause of action; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hill—

**HB 3737**—A bill to be entitled An act relating to The Florida Sexual Predators Act; amending s. 775.21, F.S.; providing an additional requirement with respect to the duty of law enforcement agencies to inform the community and the public of the presence of a sexual predator; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Kelly—

**HB 3739**—A bill to be entitled An act relating to water and wastewater utilities; amending s. 125.01, F.S.; prescribing the authority of county governing bodies with respect to water and wastewater utility rates; amending ss. 350.011, 367.011, F.S.; removing authority from the Florida Public Service Commission with respect to water and wastewater rates; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Littlefield and Fasano—

**HB 3741**—A bill to be entitled An act relating to brain and spinal cord injury rehabilitation; amending s. 318.21, F.S.; revising the distribution of civil penalties received by county courts; providing an increased distribution to the Brain and Spinal Cord Injury Rehabilitation Trust Fund; amending s. 413.20, F.S.; redefining the term “traumatic injury” with respect to general vocational rehabilitation programs; amending s. 413.613, F.S.; including the University of South Florida within a group of schools which may receive funding from the Brain and Spinal Cord Injury Rehabilitation Trust Fund; providing a limit on annual funding; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Morse—

**HB 3743**—A bill to be entitled An act relating to elections; amending s. 97.041, F.S., relating to qualifications to register or vote; providing that holders of a homestead exemption may only be registered in the county and precinct in which the property for which the homestead exemption has been granted is located; providing an exception; amending s. 97.052, F.S.; requiring certain information relating to homestead exemptions and an applicant’s social security number to be included in and elicited by the uniform statewide voter registration application; amending s. 97.053, F.S.; requiring the last four digits of an applicant’s social security number to be included on a voter registration application for the application to be complete; amending s. 101.64, F.S.; revising absentee ballot requirements relating to the voter’s certificate and witnesses; requiring notice of the penalty for fraud in connection with voting to be included on the voter’s certificate; providing a space for inclusion of the last four digits of the voter’s social security number; revising the requirements to be a witness for an absentee ballot; limiting the number of absentee ballots a person can witness per election; providing exceptions; requiring notice to witnesses of the penalty for false swearing; requiring the printed name of each witness; revising the witness oath, to conform; amending s. 101.65, F.S., relating to the instructions to absent electors enclosed with each absentee ballot; expanding notice requirements relating to what must be included in order for an absentee ballot to be counted, to include the requirement for the printed name and, when applicable, Florida voter registration number of each witness and for the last four digits of a voter’s social security number and to include notice of the restriction on the number of ballots that may be witnessed per election; amending s. 101.68, F.S.; requiring county canvassing boards to declare an absentee ballot illegal if it does not include the last four digits of the elector’s social security number and the printed name and, when applicable, voter registration number of the attesting witness; providing that an absentee ballot will not be declared illegal if the attesting witness witnesses more than two absentee ballots per election; creating s. 104.125, F.S.; providing a penalty for witnessing more than two absentee ballots per election; providing exceptions; amending s. 196.111, F.S.; requiring property appraisers to notify persons entitled to homestead exemptions of the requirements relating to voter registration and the potential loss of homestead exemption; creating s. 196.115, F.S.; providing for termination of homestead exemption upon registration as an elector in another precinct and providing for assessment of back taxes as a result thereof; providing an exception; amending s. 196.121, F.S.; requiring homestead exemption forms to include notice of the requirements for factual determination of permanent residency by the property appraiser and notice of the requirements relating to voter registration and the potential loss of homestead exemption; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Smith—

**HB 3745**—A bill to be entitled An act relating to the local government infrastructure surtax; amending s. 212.055, F.S.; revising provisions which authorize certain counties to use tax proceeds to retire or service indebtedness for bonds issued before July 1, 1987, for infrastructure purposes; including charter counties within such authorization; authorizing use of interest accrued on tax proceeds for such purpose; extending such authorization to bonds subsequently issued to refund such bonds; ratifying prior use of tax proceeds and interest for such refunding bonds; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Tamargo—

**HB 3747**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for consumer credit counseling services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Boyd—

**HB 3749**—A bill to be entitled An act relating to the Town of Horseshoe Beach, Dixie County; authorizing unrestricted use of fuel taxes under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Stabins—

**HB 3751**—A bill to be entitled An act relating to workers' compensation insurance; amending s. 440.02, F.S.; excluding certain injuries from the definition of "catastrophic injury"; amending s. 440.13, F.S.; authorizing insurers to pay certain amounts exceeding fee schedules under certain circumstances; requiring the Agency for Health Care Administration to adopt certain rules and to use certain national guidelines; amending s. 440.134, F.S.; providing additional definitions; providing for informal and formal grievances; providing procedures; providing requirements; prohibiting the agency from using certain information to determine insurer compliance under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Mackey—

**HB 3753**—A bill to be entitled An act relating to building designations; designating a building located in Lake City as the "P.F.C. Robert H. Jenkins Veterans' Domiciliary Home of Florida"; directing the Florida Department of Veterans' Affairs to erect suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Chestnut, Kelly, Wise, Dennis, and Turnbull—

**HB 3755**—A bill to be entitled An act relating to school attendance; amending s. 232.0315, F.S.; requiring presentation of a certification of a school-entry comprehensive vision examination and analysis; providing for exemption; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Trovillion—

**HB 3757**—A bill to be entitled An act relating to controlled substances and other regulated chemical substances; amending s. 316.193, F.S., relating to the offense of driving under the influence and penalties; providing that a person commits the offense of driving under the influence when any amount of a harmful chemical substance specified under s. 877.111, F.S., or a controlled substance under chapter 893, F.S., is present in the person's blood or urine, regardless of the

presence of alcohol in the person's breath or blood; providing a defense; providing penalties; reenacting s. 318.143(1), (4), and (5), F.S., relating to sanctions for infractions by minors, s. 318.17(3) and (8), F.S., relating to excepted offenses, s. 322.03(2), F.S., relating to driver's license requirement and penalties for violation of requirement, s. 322.0602(2)(a), F.S., relating to Youthful Drunk Driver Visitation Program, s. 322.12(2), F.S., relating to examination of driver's license applicants, s. 322.25(5), F.S., relating to forwarding of surrendered licenses and reporting of certain convictions, s. 322.2615(1), (2), (7), (8)(b), (10)(b), and (14), F.S., relating to suspension of license and right to review, s. 322.2616(1)(a), (15), and (18), F.S., relating to suspension of license of person under 21 years of age and right to review, s. 322.264(1)(b), F.S., relating to definition of "habitual traffic offender," s. 322.271(2)(a) and (c) and (4), F.S., relating to authority to modify revocation, cancellation, or suspension order, s. 322.282(2)(a), F.S., relating to procedure when court revokes or suspends license or driving privilege and orders reinstatement, s. 322.291, F.S., relating to driver improvement school course requirements for certain violators, s. 322.44, F.S., relating to Driver License Compact, s. 322.62(3), F.S., relating to driving-under-the-influence violations by commercial motor vehicle operators, s. 322.63(2)(d) and (6), F.S., relating to alcohol or drug testing of commercial motor vehicle operators, s. 322.64(1), (2), (7)(a), (8)(b), (14), and (15), F.S., relating to driving with unlawful blood-alcohol level and refusal to submit to breath, urine, or blood test by holder of commercial driver's license, s. 327.35(6), F.S., relating to boating-under-the-influence offenses and penalties, s. 397.405(10), F.S., relating to certain licensure exemptions, s. 440.09(7)(b), F.S., relating to worker's compensation coverage, s. 493.6101(1)(d), F.S., relating to certain license requirements, s. 627.758(4), F.S., relating to conditions and limit for surety on auto club traffic arrest bond and bail bond; s. 790.06(2)(f) and (10)(f), F.S., relating to license to carry concealed weapon or firearm, s. 903.36(2), F.S., relating to guaranteed arrest bond certificates as cash bail, s. 921.0022(3)(f), (g), (h), and (i), F.S., relating to the Criminal Punishment Code offense severity ranking chart, s. 938.07, F.S., relating to court costs for the offense of driving under the influence, s. 938.21, F.S., relating to alcohol and drug abuse programs, s. 938.23(1), F.S., relating to assistance grants for alcohol and other drug abuse programs, and s. 960.03(3)(b), F.S., relating to certain definitions with respect to crimes compensation, to incorporate said amendment in references; amending s. 893.03, F.S.; providing for inclusion in the Schedule I list of controlled substances of all mushroom species in the genera psilocybe and conocybe; reenacting s. 782.04(1)(a) and (4)(l), F.S., relating to murder, s. 817.563(1), F.S., relating to penalties for sale of substances in lieu of specified controlled substances, s. 831.31(1)(a), F.S., relating to penalties for selling, manufacturing, delivering, or possessing with intent to sell, manufacture, or deliver counterfeit controlled substance, s. 893.12(2)(b), (c), and (d), F.S., relating to seizure, forfeiture, and sale of contraband, and s. 893.13(1)(a), (c), (d), and (e), (2)(a), (4)(b), (5)(b), (6)(a), (7), and (8), F.S., relating to prohibited acts and penalties, to incorporate said amendment in references; creating s. 893.133, F.S.; providing that proof of possession by a person of specified quantities of crack cocaine, powder cocaine, cannabis, heroin, amphetamine, or methamphetamine gives rise to an inference that the person was possessing with intent to sell or deliver the respective substance; amending s. 893.135, F.S., relating to the offense of trafficking in cannabis; providing that knowing sale, purchase, manufacture, delivery, or bringing into the state, or actual or constructive possession, of 10 pounds or more of cannabis constitutes the first degree felony offense of trafficking in cannabis; providing penalties; providing for applicability of the Criminal Punishment Code; reenacting s. 397.451(7), F.S., relating to background checks of certain service provider personnel who have direct contact with unmarried minor clients or clients who are developmentally disabled, s. 414.095(1), F.S., relating to determining eligibility for the WAGES program, s. 772.12(2), F.S., relating to the Drug Dealer Liability Act, s. 782.04(1)(a), (3)(a), and (4)(a), F.S., relating to murder, s. 893.135(1), F.S., relating to lease or rent for the purpose of trafficking in a controlled substance, s. 903.133, F.S., relating to prohibitions against bail on appeal of certain felony convictions, s. 907.041(4)(b), F.S., relating to pretrial detention and release, s. 921.0024(1)(b), F.S., relating to the Criminal Punishment Code worksheet computations and scoresheets, s. 921.142(2), F.S., relating to further proceedings to determine sentence of death or life

imprisonment for capital drug trafficking felonies, s. 943.0585, F.S., relating to court-ordered expunction of criminal history records, and s. 943.059, F.S., relating to court-ordered sealing of criminal history records, to incorporate said amendment in references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Trovillion—

**HB 3759**—A bill to be entitled An act relating to arrests; amending s. 901.02, F.S., relating to issuance of arrest warrants; providing that the court may issue a warrant for the defendant's arrest which provides for the defendant's release upon his or her own recognizance under specified circumstances when a complaint has been filed charging the commission of a misdemeanor only and the summons issued to the defendant is returned unserved; creating s. 901.36, F.S.; prohibiting a person who has been arrested or lawfully detained by a law enforcement officer from giving a false name or otherwise falsely identifying himself or herself to the law enforcement officer or county jail personnel; providing penalties; prohibiting a person who has been arrested or lawfully detained by a law enforcement officer from adversely affecting another person by giving a false name belonging to another person or otherwise falsely identifying himself or herself to the law enforcement officer or county jail personnel; providing penalties; permitting the adversely affected person to obtain court orders to correct public records under specified circumstances; authorizing issuance of such court orders by the sentencing court; providing for restitution orders; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Livingston—

**HB 3761**—A bill to be entitled An act relating to condominiums; amending s. 718.103, F.S.; redefining the term "association" and defining the terms "master association," "master declaration," and "multicondominium association"; amending s. 718.111, F.S.; revising language with respect to title to property, purchase of leases, easements, insurance, rules, and commingling in regard to the association to include reference to master declarations, declarations of condominium, articles of incorporation, and bylaws; providing that a certain provision on insurance does not apply to master associations, which must meet other described requirements for insurance; exempting master associations from described requirements with respect to commingling; providing that commingling requirements do not preclude prudent investment of association funds; amending s. 718.112, F.S.; revising language with respect to bylaws; including reference to multicondominium associations; providing for separate quorums with respect to master associations and multicondominium associations; exempting master associations from certain voting requirements; revising language with respect to unit owner meetings; exempting master associations from certain unit owner meeting requirements; providing a procedure for the filing of certain vacancies on the board of administration; exempting master associations from certain budget meeting requirements and annual budget requirements; revising language with respect to assessments and recall of board members; amending s. 718.113, F.S.; revising language with respect to common elements and hurricane shutter requirements; exempting master associations from hurricane shutter requirements; amending s. 718.114, F.S.; revising language with respect to association powers to conform to the act; amending s. 718.115, F.S.; revising language with respect to telecommunications services and master antenna television systems or duly franchised cable television service; amending s. 721.05, F.S.; conforming a cross reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Crist, Trovillion, Bainter, Melvin, Villalobos, Peaden, King, Frankel, Barreiro, Heyman, Crady, Ritter, Crow, Rojas, Andrews, Murman, Wise, and Miller—

**HB 3763**—A bill to be entitled An act relating to funeral and cemetery services; providing a short title; amending s. 497.005, F.S.; defining

"care and maintenance"; creating s. 497.0255, F.S.; providing a duty of care and maintenance of licensed cemeteries in this state; providing rulemaking authority to the Board of Funeral and Cemetery Services for such purpose; amending s. 497.229, F.S.; providing circumstances under which a cemetery or component thereof may be deemed a public nuisance and providing for abatement thereof; amending s. 497.253, F.S.; providing additional requirements with respect to the conveyance of cemetery property to noncemetery uses, including certain notice; creating s. 497.255, F.S.; providing standards for construction and significant alteration or renovation of mausoleums and columbaria; providing rulemaking authority with respect to such standards to the board, in conjunction with the Board of Building Codes and Standards, and providing for incorporation of a portion thereof in the State Minimum Building Codes; requiring all newly constructed and significantly altered or renovated mausoleums and columbaria to conform to such standards and applicable building codes; amending s. 497.257, F.S.; including columbaria in provisions relating to preconstruction requirements applicable to mausoleums and belowground crypts; amending s. 497.527, F.S.; authorizing the Attorney General to bring a civil action for violation of chapter 497, relating to regulation of funeral and cemetery services, in the appropriate court; increasing the minimum liability for actual damages, except for violations designated as minor by rule of the board; amending s. 872.02, F.S., relating to prohibitions against injuring or removing tombs or monuments or disturbing the contents of graves or tombs; increasing penalties; specifying that the term "tomb" includes any mausoleum, columbarium, and belowground crypt; amending s. 245.07, F.S.; revising provisions relating to retention and disposition of bodies received by an anatomical board; creating the Task Force on Abandoned and Neglected Cemeteries within the Department of Banking and Finance; providing for appointment of members and election of officers; authorizing reimbursement for per diem and travel; requiring the department to provide administrative and staff support; providing duties; requiring preliminary and final reports; providing for termination of the task force; providing an appropriation; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Sindler—

**HB 3765**—A bill to be entitled An act relating to child care facilities; amending s. 402.302, F.S.; excluding licensed transient establishments from the definition of "child care facility"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Culp, Wallace, Murman, Miller, Bradley, Crist, Littlefield, Tamargo, Byrd, and Ogles—

**HB 3767**—A bill to be entitled An act relating to Hillsborough County; amending s. 7, ch. 95-488, Laws of Florida, as amended; revising powers of the Tampa Port Authority; authorizing certain transfers of property and interests in property; amending s. 15, ch. 95-488, Laws of Florida; prescribing procedures for the Tampa Port Authority to use in awarding contracts; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Futch—

**HB 3769**—A bill to be entitled An act relating to Barefoot Bay Recreation District, Brevard County; providing for the issuance of a special alcoholic beverage license to a mobile home park recreation district operating within Brevard County; providing restrictions; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Sembler, Bronson, Futch, Lynn, Smith, Arnall, Eggleston, Spratt, Heyman, Putnam, Bradley, Dockery, Argenziano, Cosgrove, Rayson, Villalobos, K. Pruitt, Bitner, Bullard, Bainter, Mackey, Murman, Culp, Arnold, Gay, D. Prewitt, Flanagan, Thrasher, Burroughs, Posey, Crow, Fuller, Melvin, Turnbull, Feeney, Byrd, Trovillion, Stabins, Peaden, Albright, Livingston, Minton, Littlefield, and Boyd—

**HB 3771**—A bill to be entitled An act relating to greenways and trails; amending s. 110.501, F.S.; revising the definition of “volunteer” to include persons who consent to certain use of real property; amending s. 260.012, F.S.; revising declaration of policy and legislative intent relating to the “Florida Greenways and Trails Act”; creating s. 260.0125, F.S.; providing rights and benefits of landowners whose lands are designated as greenways or trails; requiring the Department of Environmental Protection to post certain notices of trespass; providing for penalties; amending s. 260.013, F.S.; revising definitions; amending s. 260.014, F.S.; requiring the landowner’s specific written consent for designation of lands as a part of the statewide system of greenways and trails; amending ss. 260.0141 and 260.018, F.S.; restricting certain construction or use of planning materials; amending s. 260.016, F.S., relating to powers of the department; providing for rules; providing for fees; providing for a process for designation of lands as a part of the state system of greenways and trails; authorizing negotiations with private landowners; authorizing incentives for certain landowners; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tamargo, Fasano, Ritter, Lippman, Bitner, Safley, Ritchie, and Ziebarth—

**HB 3773**—A bill to be entitled An act relating to mortgage lenders; amending s. 494.0065, F.S.; authorizing a one-time transfer of ownership, control, or certain voting power of a licensed mortgage lender by an ultimate equitable owner under certain circumstances; providing an exception for intrafamilial transfers; providing requirements; providing for denial of the transfer under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Utilities & Communications; Representatives Arnall and Feeney—

**HB 3775**—A bill to be entitled An act relating to telecommunications services; creating s. 364.026, F.S.; providing for an intrastate universal service support mechanism for certain purposes; providing duties and responsibilities of the Florida Public Service Commission; providing criteria for rates for high-cost support; providing for discounted service for certain subscribers; providing alternatives for certain companies in establishing universal support; providing for assessments to support universal service; providing requirements; providing for a third-party administrator for certain purposes; providing requirements for administering such assessments; requiring the commission to provide certain oversight procedures; providing criteria for such assessments; providing for distribution of such assessments; providing for reducing certain rates under certain circumstances; providing legislative findings; providing for reducing intrastate switched access charges under certain circumstances; providing for reducing certain long distance rates under certain circumstances; providing definitions; creating s. 364.053, F.S.; providing for rate rebalancing; providing legislative findings; requiring increases in monthly rates for residential basic local telecommunications service for certain purposes; providing limitations; requiring decreases in certain rates for certain purposes; providing limitations; providing requirements; providing for future legislative review; amending s. 364.163, F.S.; providing a cap for certain rates; requiring a reductions in certain rates; repealing s. 364.025, F.S., relating to universal service; providing for reverse severability; providing legislative findings; providing requirements for tenant access to telecommunications services; providing limitations; amending ss. 166.231 and 203.01, F.S.; requiring the Public Service Commission to publish certain rates for commonly used services; amending s. 364.02,

F.S.; revising a definition; amending s. 364.336, F.S.; providing for deducting certain amounts from gross operating revenues for certain purposes; amending s. 364.337, F.S.; requiring provision of 911 service at certain levels; subjecting intrastate interexchange telecommunications companies to certain access to records provisions; amending s. 364.339, F.S.; including residential tenants in shared tenant service provisions; requiring local exchange telecommunications companies to implement consumer information programs; providing requirements; providing duties of the Public Service Commission; creating part III of chapter 364, F.S.; providing a short title; providing definitions; providing a methodology for changing telecommunications providers; providing requirements; providing limitations; requiring disclosure of certain information; providing remedies for certain violations; providing requirements for billing practices; repealing s. 364.337(7), F.S., relating to certain deductions from gross operating revenues; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Carlton—

**HB 3777**—A bill to be entitled An act relating to election protests and contests; amending s. 102.166, F.S., relating to protests of election returns; revising provisions with respect to the timeframes for filing election protests and requests for manual recounts; eliminating protests of election returns in circuit court; amending s. 102.167, F.S.; deleting the provision that prescribes the form of the protest of election returns to circuit judge, to conform; amending s. 102.168, F.S., relating to election contests; revising the timeframe for filing a contest of election; specifying the grounds authorized for contesting an election; specifying conditions under which a statement of the grounds of contest may not be rejected or dismissed for want of form; providing for service of the complaint upon the defendant and any other person named therein and providing a timeframe for filing an answer or response thereto; specifying that the contestant is entitled to an immediate hearing; authorizing the circuit judge to fashion any orders necessary to investigate, examine, or check each allegation, prevent or correct any wrong, and provide any relief appropriate under the circumstances; creating s. 102.171, F.S.; codifying that jurisdiction to hear a contest of the election of a member to either house of the Legislature at any general or special election is vested in the applicable house in accordance with its rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Kelly—

**HB 3779**—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.092, F.S.; authorizing the Marine Fisheries Commission to adopt rules specifying geographic or temporal prohibitions on the possession of gill or entangling nets or certain seines based on specified conditions; directing the commission to adopt rules prohibiting the simultaneous possession of gill or entangling nets with a designated fish that has been harvested with such nets or the possession of a designated fish that shows signs of such harvest; providing additional penalties applicable to violation of such rules; amending s. 370.093, F.S.; revising the definition of “entangling net” for purposes of the prohibition against use thereof contained in s. 16, Art. X of the State Constitution; providing that no seine or part thereof shall have a mesh size larger than 2 inches stretched mesh, unless authorized by commission rule; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fischer—

**HB 3781**—A bill to be entitled An act relating to personnel of the school system; amending s. 24.121, F.S.; providing for funding of the Project Teach Tuition Reimbursement Program from the Educational Enhancement Trust Fund; creating s. 231.63, F.S.; creating the Project Teach Tuition Reimbursement Program; providing eligibility requirements; providing for funding and distribution of funds; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Tamargo—

**HB 3783**—A bill to be entitled An act relating to the Cigarette Tax Collection Trust Fund; amending s. 210.20, F.S.; providing for a portion of the revenues from the cigarette tax to be paid monthly to the Board of Directors of the H. Lee Moffitt Cancer and Research Institute, for the purpose of financing a cancer-research facility at the University of South Florida; providing duties of the institute's board of directors; providing for uses of the transferred moneys, including the issuance of tax-exempt bonds, to be used as specified; providing that proceeds of the cigarette tax which are transferred under this act are pledged to cover the costs of constructing, furnishing, and equipping the cancer-research facility; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Business Regulation & Consumer Affairs; Representatives Ogles and Lynn—

**HB 3785**—A bill to be entitled An act relating to consumer protection; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information to the Department of Agriculture and Consumer Services; amending s. 496.404, F.S.; clarifying a definition; amending s. 496.405, F.S.; revising a registration fee schedule for charitable organizations; amending s. 496.406, F.S.; deleting certain registration requirements for certain charitable organizations; amending s. 501.143, F.S.; deleting a specific annual registration date for certain dance studios; amending s. 501.607, F.S.; clarifying certain procedures for licensing salespersons; amending s. 559.725, F.S.; clarifying procedures for administering consumer complaints; amending s. 559.805, F.S.; requiring business opportunity sellers to disclose certain information; amending s. 559.904, F.S.; clarifying registration requirements for motor vehicle repair shop operators; providing a late fee; amending s. 817.415, F.S.; revising requirements for free advertising; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Morroni—

**HB 3787**—A bill to be entitled An act relating to alcohol and tobacco sales; amending s. 562.11, F.S.; authorizing law enforcement officers to utilize persons under a certain age to test vendor compliance with provisions restricting the sale of alcoholic beverages to certain minors; amending ss. 569.002 and 569.101, F.S.; authorizing law enforcement officers to utilize persons under a certain age to test vendor compliance with provisions restricting the sale of tobacco products to certain minors; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Betancourt—

**HB 3789**—A bill to be entitled An act relating to bridge designations; co-designating the MacArthur Causeway Bridge located in Miami-Dade County as the "Trooper Robert G. Smith Bridge"; directing the Department of Transportation to erect suitable markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Reddick—

**HB 3791**—A bill to be entitled An act relating to conditional release; creating s. 947.1491, F.S.; establishing the conditional drug offender release program; specifying eligibility criteria; providing for the Parole Commission to consider inmates for the conditional release program upon the recommendation of the citizens' advisory committee; clarifying that the inmate has no right to conditional drug offender release or review; authorizing the commission to grant or deny conditional drug offender release; requiring that probation or community control be substituted under certain circumstances; requiring the conditional release date to be set based on a system of uniform criteria; authorizing the commission to determine the terms, conditions, and lengths of supervision, determine violations, and adopt rules; creating s. 947.1492,

F.S.; establishing a citizens' advisory committee; specifying its purpose and composition; assigning the committee to the commission for staffing and administrative support; requiring that the chair be selected by the members for a term of 1 year; requiring the committee to meet a minimum of five times annually; specifying that a majority of the membership constitutes a quorum; requiring the chair to record proceedings of the committee; authorizing per diem and travel expenses for members; amending s. 947.141, F.S.; providing for issuance of arrest warrant for offender who has violated conditional drug offender release terms and conditions; providing for detention without bond of the offender upon arrest on a felony charge; requiring a hearing within a specified period after notice to the Parole Commission of the arrest; providing for orders of revocation of conditional drug offender release under specified circumstances; reenacting s. 947.146(12) and (14), F.S., relating to Control Release Authority, and s. 947.149(5), F.S., relating to conditional medical release, to incorporate said amendment in references; conforming cross references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Meek—

**HB 3793**—A bill to be entitled An act relating to itinerant merchants; defining "itinerant merchant;" requiring itinerant merchants to retain invoices or receipts on merchandise purchased or obtained for resale; specifying required information; authorizing law enforcement officers to request production of such information; providing a presumption of certain property being stolen; authorizing confiscation of such property under certain circumstances; providing for a sworn affidavit in lieu of certain information; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Smith—

**HB 3795**—A bill to be entitled An act relating to air pollution control; amending s. 215.22, F.S.; exempting the Air Pollution Control Trust Fund from the general revenue service charge deduction; amending s. 403.0872, F.S., relating to operation permits for major sources of air pollution; revising provisions relating to calculation of the annual operation license fee; providing for adjustments to the license fee factor; providing restrictions on calculating whether there is a revenue shortage; restricting use of annual operation license fees collected; revising elements of the major stationary source air-operation permit program for purposes of establishing annual operation license fees; revising program audit requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Constantine—

**HB 3797**—A bill to be entitled An act relating to governmental controversies; amending s. 164.101, F.S.; renaming the "Florida Governmental Cooperation Act" as the "Florida Governmental Conflict Resolution Act"; amending s. 164.102, F.S.; providing purpose and intent; creating s. 164.1031, F.S.; providing definitions; creating s. 164.1041, F.S.; requiring local and regional governmental entities to exhaust the procedural options of the act before initiating litigation, except in emergency circumstances; creating s. 164.1051, F.S.; specifying the governmental conflicts to which the act applies; creating s. 164.1052, F.S.; providing procedures and requirements for initiation of conflict resolution procedures; creating s. 164.1053, F.S.; providing for a conflict assessment meeting and providing requirements with respect thereto; creating s. 164.1055, F.S.; providing for a joint public meeting between disputing entities; providing for nonbinding arbitration; creating s. 164.1056, F.S.; providing for final resolution of conflicts; creating s. 164.1057, F.S.; specifying the manner of execution of the resolution of a conflict; renumbering and amending s. 164.104, F.S.; providing that a governmental entity that fails to participate in conflict resolution procedures shall be required to pay attorney's fees and costs; renumbering and amending s. 164.105, F.S.; providing the period of tolling of any applicable statute of limitations; repealing ss. 164.103 and 164.106, F.S., which provide procedures and requirements for resolution of governmental disputes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Community Colleges & Career Prep; Representatives Sindler, Fasano, Kelly, Futch, Harrington, Stafford, Greene, Miller, and D. Prewitt—

**HB 3799**—A bill to be entitled An act relating to community colleges; amending ss. 239.117 and 240.35, F.S.; authorizing community colleges to bond capital improvement fees for financing or refinancing equipment, renovation, or remodeling of educational facilities; limiting terms; providing additional allowable uses; amending s. 240.319, F.S.; authorizing community college boards of trustees to issue revenue bonds for the purpose of equipment, renovation, or remodeling of educational facilities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Turnbull and Brown—

**HB 3801**—A bill to be entitled An act relating to campaign financing; amending s. 106.011, F.S.; revising definitions of the terms “contribution,” “independent expenditure,” and “political advertisement”; defining the term “in coordination with”; amending s. 106.021, F.S.; eliminating a provision that authorizes the unrestricted expenditure of funds for the purpose of jointly endorsing three or more candidates; amending s. 106.087, F.S., relating to restrictions on independent expenditures, to eliminate a similar provision, to conform; amending s. 106.08, F.S.; providing limits on contributions to political parties; revising limits on contributions to candidates by political parties; providing penalties; amending ss. 106.087 and 106.29, F.S.; correcting cross references, to conform; reenacting s. 106.19(1)(a), F.S., relating to penalties applicable to acceptance of contributions in excess of limits provided by law, to incorporate the amendment to s. 106.08, F.S., in a reference thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Barreiro—

**HB 3803**—A bill to be entitled An act relating to tobacco products; creating s. 210.155, F.S.; defining the term “primary source of supply”; requiring registration as a primary source of supply; prohibiting distributing agents and wholesale dealers from delivering, or accepting delivery of, cigarettes other than directly from a primary source of supply; providing a penalty; amending s. 210.15, F.S.; providing an additional requirement for issuance of a permit for a distributing agent or wholesale dealer; amending s. 210.151, F.S., relating to temporary initial cigarette and other tobacco products permits, to conform; revising provisions relating to the period of validity of such permits; amending s. 210.16, F.S.; providing for revocation and suspension of registration of a primary source of supply; providing for renewal of registration subsequent to revocation; providing for civil penalties in lieu of revocation or suspension; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Dawson-White—

**HB 3805**—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.02, F.S.; revising the definition of the term “practitioner” to include advanced registered nurse practitioners; creating s. 893.0357, F.S.; providing requirements for an advanced registered nurse practitioner to apply for a controlled substance registry number; providing for establishment of such requirements by a multidisciplinary committee; providing for appointment and duties of such committee; requiring the Board of Nursing to adopt such requirements as a rule and to make the determination as to whether an advanced registered nurse practitioner has met such requirements; providing for prior review and approval of changes to such requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Barreiro—

**HB 3807**—A bill to be entitled An act relating to the Miami River; establishing the Miami River Commission; providing purposes;

providing for a policy committee, a managing director, and a working group; specifying membership of the committee; providing powers and duties of the committee; requiring a report; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

**HB 3809**—Withdrawn

By Representative Sembler—

**HB 3811**—A bill to be entitled An act relating to marine fisheries; amending s. 370.021, F.S.; providing additional penalties for certain violations; providing a definition; providing for certain notification by the clerk of the court; amending s. 370.07, F.S.; providing for the sharing of certain reports which would otherwise be confidential; providing additional civil penalties for certain violations; providing that it is unlawful for a retail licensed seafood dealer or any licensed restaurant to buy saltwater products from any person other than a licensed wholesale or retail seafood products dealer; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Sembler—

**HB 3813**—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.142, F.S.; revising language with respect to the surcharge for the transfer of trap certificates for the taking of spiny lobsters; prohibiting the leasing of lobster trap certificates; revising language with respect to penalties relating to traps; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative K. Pruitt—

**HB 3815**—A bill to be entitled An act relating to the St. Lucie County Expressway Authority; amending s. 348.942, F.S.; revising the membership of the governing body of the authority; revising terms of membership for specified members of the governing body; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Effman, Dockery, and D. Prewitt—

**HB 3817**—A bill to be entitled An act relating to emergency medical services; creating s. 401.272, F.S.; authorizing paramedics and emergency medical technicians to perform health promotion and wellness activities and blood pressure screenings; authorizing paramedics to administer immunizations, and requiring verification and documentation of their qualifications to do so; specifying conditions for the provision of such community health care; providing for rulemaking; amending s. 401.265, F.S.; providing liability of medical directors for such activities; amending s. 401.411, F.S.; providing that undertaking activities for which the paramedic or emergency medical technician is not qualified is grounds for disciplinary action; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Stabins—

**HB 3819**—A bill to be entitled An act relating to residential real property; requiring notification of entitlement to homestead tax exemption; providing a civil penalty; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Stabins—

**HB 3821**—A bill to be entitled An act relating to organ donation; amending ss. 322.21 and 732.921, F.S.; reducing the driver's license fees for persons who register to become organ donors when applying for or renewing a driver's license; creating s. 381.603, F.S.; providing certain priority to organ donors in the allocation of organs for transplant; requiring the Agency for Health Care Administration to adopt rules; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Boyd—

**HB 3823**—A bill to be entitled An act relating to the Cedar Key Water and Sewer District in Levy County; codifying laws governing the independent special district; establishing revised district boundaries; revising the elections procedure for district commissioners; revising the name of the district; repealing chapters 63-1569, 75-426, 76-416, 80-531, and 87-528, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Merchant—

**HB 3825**—A bill to be entitled An act relating to the Board of Trustees of the Internal Improvement Trust Fund; directing the board to transfer certain properties to the Florida Atlantic University Foundation, Inc., for the Pine Jog Environmental Education Center; providing restrictions on the use of the land; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Lippman, Gay, Rojas, Tobin, Stafford, Dennis, Garcia, Miller, Crady, Frankel, Ritchie, Mackenzie, Wasserman Schultz, Brennan, Villalobos, Peaden, Bloom, Hafner, Fasano, Melvin, Horan, Bullard, Wise, Cosgrove, Arnold, Roberts-Burke, Effman, Rayson, Ritter, and Bronson—

**HB 3827**—A bill to be entitled An act relating to insurance; providing a short title; amending s. 215.555, F.S.; revising definitions; excluding the Fair Access to Insurance Requirements Plan from application of reimbursement contract requirements; defining “insurer” for purposes of certain revenue bonds; providing for deactivation of the Residential Property and Casualty Joint Underwriting Association and termination of the association’s plan of operation under certain circumstances; providing for additional assessments and augmented assessments for certain purposes; providing for appropriating certain moneys in the Florida Hurricane Catastrophe Fund to the Department of Community Affairs for certain purposes; amending s. 626.916, F.S.; authorizing certain surplus lines insurers to remove and insure policies from the Residential Property and Casualty Joint Underwriting Association and the Florida Windstorm Underwriting Association under certain circumstances; providing procedures and limitations; requiring reinsurance; prohibiting eligibility for windstorm coverage for certain risks; amending s. 627.0629, F.S.; requiring the Department of Insurance to adopt certain credits for use by insurers in certain rate filings under certain circumstances; clarifying the application of certain discounts for mobile home owner’s insurance rate filings; requiring insurers to implement certain discounts or rate differentials for mobile home insurance premiums; providing criteria; requiring the department to adopt certain credits used by insurers for certain residential property insurance policies; providing requirements; authorizing the establishment of the Blue Ribbon Homes Program for certain purposes; providing priority for evaluations and mitigation funds for certain applicants; authorizing the department to develop and adopt certain actuarial methodologies for certain purposes; authorizing the department to enter into contracts for such development; providing criteria; amending s. 627.0651, F.S.; specifying use of certain underwriting rules for motor vehicle insurance; amending s. 627.351, F.S.; proscribing coverage by the Florida Windstorm Underwriting Association for certain persons and properties; revising criteria and requirements for the association’s plan of operation to provide windstorm coverage; requiring the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association to allow insurers to remove packages of policies from the association; providing criteria and requirements for packaging; providing procedures, requirements, and limitations on removal of such policies; providing for assignments of policies from the association under certain circumstances; imposing assignment fees; providing requirements and limitations for such assignments; providing exceptions; providing definitions; authorizing the department to adopt rules; authorizing the department to require revisions or amendments

to certain plans; amending s. 627.3513, F.S.; clarifying a definition; providing construction; amending s. 627.3515, F.S.; revising requirements for the department’s market assistance plan; specifying additional criteria and requirements for such plan; providing for assignment or placement of policies under the plan; providing limitations; providing definitions; providing powers of the department; providing for transferring plan funding obligations from the Residential Property and Casualty Joint Underwriting Association to the FAIR Plan; amending s. 627.3516, F.S.; revising the principal entities responsible for creating a residual property insurance market coordinating council; revising council membership; creating s. 627.3518, F.S.; establishing the Florida Access to Insurance Requirements (FAIR) Plan; providing purposes; providing definitions; creating the Florida FAIR Plan Association; providing for operation and membership; requiring insurers to participate in the association; providing requirements; providing for assessments; providing for additional assessments under certain circumstances; authorizing local governments to issue bonds under certain circumstances; providing procedures and requirements; requiring property insurance rate filings under certain circumstances; providing requirements; declaring the FAIR Plan to be a political subdivision; exempting the plan from the corporate income tax; protecting financial characteristics of the association; requiring the association to contract with the Florida Hurricane Catastrophe Fund for certain purposes; requiring the association to develop and adopt a plan of operation; providing for department approval of the plan; providing for amending the plan; specifying requirements for the plan; requiring certificates of eligibility for coverage; providing procedures, criteria, and standards; providing for levy of market equalization surcharges by the plan; amending s. 627.4091, F.S.; prohibiting insurers from canceling or nonrenewing residential policies without notice; providing requirements for such notice; amending s. 627.4133, F.S.; providing additional requirements relating to notices of cancellation or nonrenewal; requiring insurers to offer coverage for certain replacement property under certain circumstances; creating s. 627.4138, F.S.; providing restrictions on cancellation or nonrenewal of residential coverage; providing legislative findings; requiring insurers to reduce rates after deactivation of the Residential Property and Casualty Joint Underwriting Association; providing an exception; providing procedures; requiring insurers’ rate filings to reflect certain savings; authorizing the Department of Insurance to adopt rules; providing appropriations; repealing s. 627.062(6), F.S., relating to arbitration of certain rate filings; repealing s. 627.0628, F.S., relating to contract provisions for illegal occupation; providing severability; amending ss. 624.4071, 626.918, 626.932, 626.9325, and 626.9541, F.S.; correcting cross references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Sindler, Starks, Brooks, Posey, Constantine, Trovillion, and Reddick—

**HB 3829**—A bill to be entitled An act relating to the Zellwood Drainage and Water Control District, Orange County; repealing chapter 20715, Laws of Florida, 1941, chapter 24323, Laws of Florida, 1947; providing for dissolution of the district contingent upon purchase or acquisition of all property within district boundaries by the St. Johns River Water Management District on or before September 30, 1998; providing for a plan to allocate district assets and liabilities; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Wallace, Crist, Littlefield, Ogles, Bradley, Tamargo, Byrd, Miller, Safley, Culp, and Murman—

**HB 3831**—A bill to be entitled An act relating to the Carrollwood Recreation District, Hillsborough County; consolidating, compiling, and codifying extant laws pertaining to the district; providing legislative intent; deleting provisions that have expired, have had their effect, have served their purpose, or have been impliedly repealed or superseded;

replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition; improving clarity and facilitating correct interpretation; providing notice that the district is an independent special district approved by referendum; adding definitions; providing for election of trustees; revising ballot language requirements; providing that the district elect one secretary; providing that the board is a public body and shall conduct its business accordingly; conforming the law to s. 768.28, F.S., relating to trustees' civil liability and immunity from suit; consolidating the powers and duties of the board into a single section; conforming the law to the actual business practices of the district, routine in nature but not previously enumerated, including the power and duty to perform duties required by general law, when applicable, relating to special districts and to the levy of non-ad valorem assessments, to operate, supervise, and maintain recreational facilities or to contract for same, to insure the facilities, properties, operation, and trustees of the district, to establish, charge, and collect fees for use of the facilities, to direct the supervisor to place certain referenda on the ballot, and to employ personnel, including security guards and certified law enforcement officers; conforming the law to the requirements of ch. 197, F.S., relating to non-ad valorem assessments; providing for dissolution of the district in accordance with general law; providing a savings clause; repealing chs. 72-565, 75-385, 81-394, 84-445, Laws of Florida, relating to the district; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tamargo, Littlefield, Crist, Ogles, Bradley, Culp, Byrd, Wallace, Miller, Safley, and Murman—

**HB 3833**—A bill to be entitled An act relating to the Tampa Sports Authority; amending sections 13A and 13C of chapter 96-520, Laws of Florida; adding mandatory components of performance audits; clarifying requirements for contracting for performance audits; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tamargo, Littlefield, Crist, Ogles, Bradley, Culp, Byrd, Wallace, Miller, Safley, and Murman—

**HB 3835**—A bill to be entitled An act relating to the Hillsborough County Public Transportation Commission; amending chapter 94-408, Laws of Florida, as amended; adding mandatory components of performance audits; clarifying requirements for contracting for performance audits; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tamargo, Littlefield, Crist, Ogles, Bradley, Culp, Byrd, Wallace, Miller, Safley, and Murman—

**HB 3837**—A bill to be entitled An act relating to the Tampa Port Authority, Hillsborough County; amending chapter 95-488, Laws of Florida, as amended; adding mandatory components of performance audits; clarifying requirements for contracting for performance audits; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tamargo, Littlefield, Crist, Ogles, Bradley, Culp, Byrd, Wallace, Miller, Safley, and Murman—

**HB 3839**—A bill to be entitled An act relating to the Hillsborough County Hospital Authority; amending chapter 96-449, Laws of Florida; adding mandatory components of performance audits; clarifying

requirements for contracting for performance audits; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tamargo, Littlefield, Crist, Ogles, Bradley, Culp, Byrd, Wallace, Miller, Safley, and Murman—

**HB 3841**—A bill to be entitled An act relating to the Hillsborough County City-County Planning Commission; amending chapter 97-351, Laws of Florida; adding mandatory components of performance audits; clarifying requirements for contracting for performance audits; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tamargo, Littlefield, Crist, Ogles, Bradley, Culp, Byrd, Wallace, Miller, Safley, and Murman—

**HB 3843**—A bill to be entitled An act relating to the Hillsborough County Civil Service Board; amending chapter 96-519, Laws of Florida; adding mandatory components of performance audits; clarifying requirements for contracting for performance audits; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tamargo, Littlefield, Crist, Ogles, Bradley, Culp, Byrd, Wallace, Miller, Safley, and Murman—

**HB 3845**—A bill to be entitled An act relating to the Hillsborough County Aviation Authority; amending chapter 94-412, Laws of Florida, as amended; adding mandatory components of performance audits; clarifying requirements for contracting for performance audits; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Saunders—

**HB 3847**—A bill to be entitled An act relating to Collier County, Florida; amending chapter 89-449, Laws of Florida, as amended, to allow domesticated animals in county parks for animal shows and other substantially similar special events, and to authorize the director of parks and recreation to authorize special event bonfires on a case-by-case basis, all of the above in accordance with the then applicable rules of the parks and recreation department and as approved by the board of county commissioners; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Brennan—

**HB 3849**—A bill to be entitled An act relating to Pinellas County; amending chapter 75-491, Laws of Florida, as amended; providing that property not receiving any benefits from the Pinellas Park Water Management District may be removed from the district by amendment to its charter; removing provisions which provide a method for deletion of taxable property from the district's tax rolls if over 50 percent of the property drains outside the district; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bradley—

**HB 3851**—A bill to be entitled An act relating to Pinellas County; providing a short title; providing background and purpose of the act;

providing for the annexation of certain small enclaves within the municipalities of Pinellas County; providing for the act to apply to a specified type of enclave; providing prerequisites for annexation; requiring the governing body of a municipality to provide certain incentives within the area to be annexed; providing for certain exemptions; providing for expiration of specified provisions of the act; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Morroni—

**HB 3853**—A bill to be entitled An act relating to Pinellas County; repealing chapter 69-1490, Laws of Florida, relating to the creation of the Pinellas County Industry Council; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Futch—

**HB 3855**—A bill to be entitled An act relating to Brevard County; amending ch. 94-419, Laws of Florida, as amended; providing certain restrictions and requirements on licensure on the harvesting of clams; providing penalties; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Sindler, Constantine, Feeney, Trovillion, and Reddick—

**HB 3857**—A bill to be entitled An act relating to the City of Orlando and Orange County; repealing chapter 55-31098, Laws of Florida, relating to the number of licenses which may be granted for the sale of intoxicating beverages therein; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Livingston—

**HB 3859**—A bill to be entitled An act relating to Lee County and the City of Fort Myers; providing for the annexation of the enclaves known as “Dunbar” and “Belle Vue” by interlocal agreement between the city and county, subject to approval by referendum; providing for procedures for adoption of the agreement and for a referendum; providing for authority for assumption of municipal service duties and transfer of infrastructure; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Arnold—

**HB 3861**—A bill to be entitled An act relating to public officers and employees; amending s. 112.3148, F.S.; providing that a gift from a direct-support organization to a governmental entity shall be for the benefit of the governmental entity only and may not be used for the personal benefit of any officer or employee of the governmental entity who is a reporting individual or procurement employee or of any member of the immediate family of such an officer or employee, violation of which is subject to penalties provided by law; requiring the reporting of the purpose of such gifts; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Argenziano—

**HB 3863**—A bill to be entitled An act relating to the Coastal Zone Protection Act; amending s. 161.54, F.S.; redefining the term “substantial improvement”; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Argenziano—

**HB 3865**—A bill to be entitled An act relating to pharmacy; amending s. 465.003, F.S.; expanding the definition of the term “practice of the profession of pharmacy”; creating s. 465.188, F.S.; authorizing and providing requirements for a pharmacist to initiate or modify drug therapy and therapeutic management; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Argenziano—

**HB 3867**—A bill to be entitled An act relating to evidence of crimes, wrongs, or acts; amending s. 90.404, F.S.; revising terminology; providing for admissibility into evidence of uncharged crimes, wrongs, or acts inseparable from or inextricably intertwined with the crime charged, under certain circumstances; providing definitions; providing for admissibility of evidence of other “sexual misconduct” by the defendant under certain circumstances when the defendant is charged with a sexual offense; providing for admissibility of other “acts of domestic violence” by the defendant under certain circumstances when the defendant is charged with an act of domestic violence; requiring the state to furnish certain notice of intent to the defendant or defendant’s counsel regarding the state’s intent to offer evidence of criminal offenses or sexual misconduct or domestic violence committed by the defendant; providing that notice is not required regarding certain evidence of uncharged crimes, wrongs, or acts inseparable from or inextricably intertwined with the crime charged; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fischer—

**HB 3869**—A bill to be entitled An act relating to boating safety and emergency responses; amending s. 316.003, F.S.; redefining the term “authorized emergency vehicles” to include reference to vehicles of the Department of Environmental Protection; amending s. 327.02, F.S.; redefining the term “operate” with respect to vessels; amending s. 327.352, F.S.; revising language with respect to the operation of a vessel while under the influence; providing Legislative intent; restoring a penalty for refusal to submit to chemical or physical testing; conforming provisions relating to boating under the influence to driving under the influence; creating s. 327.35201, F.S.; restoring a penalty for refusal to submit to chemical testing; amending s. 327.50, F.S.; revising language with respect to vessel safety regulations, equipment and lighting requirements to clarify responsibility for compliance; amending s. 327.731, F.S.; increasing the number of convictions necessary for mandatory education; clarifying compliance procedures; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Civil Justice & Claims; Representatives Warner, Ritter, Flanagan, and Thrasher—

**HB 3871**—A bill to be entitled An act relating to product liability; amending s. 95.031, F.S.; providing a time period for bringing an action for product liability or fraud; providing an exception; creating s. 768.1256, F.S.; providing a government rules defense with respect to certain product liability actions; providing for a rebuttable presumption; providing requirements with respect to products which are drugs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Civil Justice & Claims; Representatives Warner, Thrasher, and Flanagan—

**HB 3873**—A bill to be entitled An act relating to punitive damages; amending s. 768.72, F.S.; revising language with respect to claims for punitive damages in civil actions; requiring clear and convincing evidence of gross negligence or intentional misconduct to support the recovery of such damages; providing definitions; providing criteria for the imposition of punitive damages with respect to employers, principals, corporations, or other legal entities for the conduct of an

employee or agent; providing for the application of the section; providing an exception; amending s. 768.73, F.S.; revising language with respect to limitations on punitive damages; providing monetary limitations; providing an exception with respect to intentional misconduct; providing for consolidated punitive damages trials; providing for the effect of certain previous punitive damages awards; providing a limitation on attorney fees; providing for the application of the section; providing an exception; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Civil Justice & Claims; Representatives Byrd, Warner, Flanagan, and Thrasher—

**HB 3875**—A bill to be entitled An act relating to negligence; creating s. 768.0705, F.S.; providing limitations on premises liability for a person or organization owning or controlling an interest in commercial real property; providing for a presumption against liability; providing conditions for the presumption; amending s. 768.075, F.S.; delineating the duty owed to trespassers by a person or organization owning or controlling an interest in real property; providing definitions; providing for the avoidance of liability to discovered and undiscovered trespassers under described circumstances; providing for the application of the act with respect to the common law; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Civil Justice & Claims; Representatives Flanagan, Cosgrove, Warner, and Thrasher—

**HB 3877**—A bill to be entitled An act relating to rental car liability; amending s. 324.021, F.S.; providing that the lessor of a motor vehicle under certain rental agreements shall be deemed the owner of the vehicle for the purpose of determining liability for the operation of the vehicle within certain limits; providing for application; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Civil Justice & Claims; Representatives Clemons, Thrasher, Ritter, and Flanagan—

**HB 3879**—A bill to be entitled An act relating to negligence; amending s. 768.76, F.S.; revising language with respect to collateral sources of indemnity to redefine the term “collateral sources” with respect to negligence actions; amending s. 768.81, F.S.; revising language with respect to the applicability of joint and several liability to certain actions; providing that certain employers participating in a worker’s compensation eligibility program shall not be considered a party in a negligence action and shall not be listed as a tortfeasor on certain jury verdicts; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Civil Justice & Claims; Representatives Warner, Ritter, Flanagan, and Thrasher—

**HB 3881**—A bill to be entitled An act relating to litigation reform; providing for expedited trials; providing timeframes for the conduct of such trials; creating s. 40.50, F.S.; providing for instructions to juries after the jury is sworn in; providing for the discussion of evidence under certain circumstances; providing for the taking of notes under certain circumstances; providing for notebooks; providing for written questions; providing for final instructions; creating s. 44.1051, F.S.; providing for voluntary trial resolution; providing for the appointment of a trial resolution judge; providing for compensation; providing for fees; providing for the tolling of applicable statutes of limitation; providing for powers of trial resolution judges; providing for hearings and evidence; providing for appeal; providing for application; amending s. 57.071, F.S.; providing criteria under which expert witness fees may be awarded as taxable costs; amending s. 57.105, F.S.; providing sanctions for raising unfounded claims or defenses; providing exceptions; providing for damages in certain circumstances; amending s. 627.428, F.S.; revising a provision relating to attorney’s fees to exempt certain actions; amending s. 768.77, F.S.; revising language with respect to

itemized verdicts to delete reference to future damages; amending s. 768.78, F.S.; conforming to the act; correcting a cross reference; amending s. 768.79, F.S.; providing for the applicability of offers of judgment and demand of judgment in cases involving multiple plaintiffs; providing that subsequent offers shall void previous offers; providing that prior to awarding costs and fees the court shall determine whether the offer was reasonable under the circumstances known at the time the offer was made; authorizing the court to consider whether or not a proposal was reasonably rejected when considering entitlement to and the amount of an award of attorneys’ fees; providing severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Lynn—

**HB 3883**—A bill to be entitled An act relating to protection of children; reorganizing and revising ch. 39, F.S.; providing for pt. I of said chapter, entitled “General Provisions”; amending ss. 39.001 and 39.002, F.S.; revising purposes and intent; providing for personnel standards and screening and for drug testing; amending s. 39.01, F.S.; revising definitions; renumbering and amending s. 39.455, F.S., relating to immunity from liability for agents of the Department of Children and Family Services or a social service agency; amending s. 39.012, F.S.; providing requirements for department rules; renumbering and amending s. 39.40, F.S., relating to procedures and jurisdiction; providing for right to counsel; renumbering s. 39.4057, F.S., relating to permanent mailing address designation; renumbering and amending s. 39.411, F.S., relating to oaths, records, and confidential information; renumbering s. 39.414, F.S., relating to court and witness fees; renumbering and amending ss. 39.415 and 39.474, F.S., relating to compensation of appointed counsel; renumbering and amending s. 39.418, F.S., relating to the Operations and Maintenance Trust Fund; providing for pt. II of ch. 39, F.S., entitled “Reporting Child Abuse”; renumbering and amending s. 415.504, F.S., relating to mandatory reports of child abuse, abandonment, or neglect; renumbering and amending s. 415.511, F.S., relating to immunity from liability in cases of child abuse, abandonment, or neglect; renumbering and amending s. 415.512, F.S., relating to abrogation of privileged communications in cases of child abuse, abandonment, or neglect; renumbering and amending s. 415.513, F.S., relating to penalties relating to reporting of child abuse, abandonment, or neglect; renumbering and amending s. 415.5131, F.S., relating to administrative fines for false reporting; providing for pt. III of ch. 39, F.S., entitled “Protective Investigations”; creating s. 39.301, F.S.; providing for child protective investigations; creating s. 39.302, F.S.; providing for protective investigations of institutional child abuse, abandonment, or neglect; renumbering and amending s. 415.5055, F.S., relating to child protection teams and services and eligible cases; creating s. 39.3035, F.S.; providing standards for child advocacy centers eligible for state funding; renumbering and amending s. 415.507, F.S., relating to photographs, medical examinations, X rays, and medical treatment of an abused, abandoned, or neglected child; renumbering and amending s. 415.5095, F.S., relating to a model plan for intervention and treatment in sexual abuse cases; creating s. 39.306, F.S.; providing for working agreements with local law enforcement to perform criminal investigations; renumbering and amending s. 415.50171, F.S., relating to reports of child-on-child sexual abuse; providing for pt. IV of ch. 39, F.S., entitled “Family Builders Program”; renumbering and amending s. 415.515, F.S., relating to establishment of the program; renumbering and amending s. 415.516, F.S., relating to goals of the program; renumbering and amending s. 415.517, F.S., relating to contracts for services; renumbering and amending s. 415.518, F.S., relating to family eligibility; renumbering s. 415.519, F.S., relating to delivery of services; renumbering and amending s. 415.520, F.S., relating to qualifications of program workers; renumbering s. 415.521, F.S., relating to outcome evaluation; renumbering and amending s. 415.522, F.S., relating to funding; providing for pt. V of ch. 39, F.S., entitled “Taking Children into Custody and Shelter Hearings”; creating s. 39.395, F.S.; providing for medical or hospital personnel taking a child into protective custody; amending s. 39.401, F.S.; providing for law enforcement officers or authorized agents of the department taking a child alleged to be

dependent into custody; amending s. 39.402, F.S., relating to placement in a shelter; amending s. 39.407, F.S., relating to physical and mental examination and treatment of a child and physical or mental examination of a person requesting custody; renumbering and amending s. 39.4033, F.S., relating to referral of a dependency case to mediation; providing for pt. VI of ch. 39, F.S., entitled "Petition, Arraignment, Adjudication, and Disposition"; renumbering and amending s. 39.404, F.S., relating to petition for dependency; renumbering and amending s. 39.405, F.S., relating to notice, process, and service; renumbering and amending s. 39.4051, F.S., relating to procedures when the identity or location of the parent, legal custodian, or caregiver is unknown; renumbering and amending s. 39.4055, F.S., relating to injunction pending disposition of a petition for detention or dependency; renumbering and amending s. 39.406, F.S., relating to answers to petitions or other pleadings; renumbering and amending s. 39.408(1), F.S., relating to arraignment hearings; renumbering and amending ss. 39.408(2) and 39.409, F.S., relating to adjudicatory hearings and orders; renumbering and amending ss. 39.408(3) and (4) and 39.41, F.S., relating to disposition hearings and powers of disposition; renumbering and amending s. 39.4105, F.S., relating to grandparents rights; renumbering and amending s. 39.413, F.S., relating to appeals; providing for pt. VII of ch. 39, F.S., entitled "Case Plans"; renumbering and amending s. 39.4031, F.S., relating to case plan requirements and case planning for children in out-of-home care; renumbering and amending s. 39.452(1)-(4), F.S., relating to case planning for children in out-of-home care when the parents, legal custodians, or caregivers do not participate; renumbering and amending s. 39.452(5), F.S., relating to court approvals of case planning; providing for pt. VIII of ch. 39, F.S., entitled "Judicial Reviews"; renumbering and amending s. 39.453, F.S., relating to judicial review of the status of a child; renumbering and amending s. 39.4531, F.S., relating to citizen review panels; renumbering and amending s. 39.454, F.S., relating to initiation of proceedings for termination of parental rights; renumbering and amending s. 39.456, F.S., relating to exemptions from judicial review; providing for pt. IX of ch. 39, F.S., entitled "Termination of Parental Rights"; renumbering and amending ss. 39.46 and 39.462, F.S., relating to procedures, jurisdiction, and service of process; renumbering and amending ss. 39.461 and 39.4611, F.S., relating to petition for termination of parental rights, and filing and elements thereof; creating s. 39.803, F.S.; providing procedures when the identity or location of the parent is unknown after filing a petition for termination of parental rights; renumbering s. 39.4627, F.S., relating to penalties for false statements of paternity; renumbering and amending s. 39.463, F.S., relating to petitions and pleadings for which no answer is required; renumbering and amending s. 39.464, F.S., relating to grounds for termination of paternal rights; renumbering and amending s. 39.465, F.S., relating to right to counsel and appointment of a guardian ad litem; renumbering and amending s. 39.466, F.S., relating to advisory hearings; renumbering and amending s. 39.467, F.S., relating to adjudicatory hearings; renumbering and amending s. 39.4612, F.S., relating to the manifest best interests of the child; renumbering and amending s. 39.469, F.S., relating to powers of disposition and order of disposition; renumbering and amending s. 39.47, F.S., relating to post disposition relief; creating s. 39.813, F.S.; providing for continuing jurisdiction of the court which terminates parental rights over all matters pertaining to the child's adoption; renumbering s. 39.471, F.S., relating to oaths, records, and confidential information; renumbering and amending s. 39.473, F.S., relating to appeal; creating s. 39.816, F.S.; authorizing certain pilot and demonstration projects contingent on receipt of federal grants or contracts; creating s. 39.817, F.S.; providing for a foster care demonstration pilot project; providing for pt. X of ch. 39, F.S., entitled "Domestic Violence"; renumbering s. 415.601, F.S., relating to legislative intent regarding treatment and rehabilitation of victims and perpetrators; renumbering and amending s. 415.602, F.S., relating to definitions; renumbering and amending s. 415.603, F.S., relating to duties and functions of the department; renumbering and amending s. 415.604, F.S., relating to an annual report to the Legislature; renumbering and amending s. 415.605, F.S., relating to domestic violence centers; renumbering s. 415.606, F.S., relating to referral to such centers and notice of rights; renumbering s. 415.608, F.S., relating to confidentiality of information received by the department or a center; amending ss. 20.19, 20.43, 61.13, 61.401,

63.052, 63.092, 90.5036, 154.067, 216.136, 232.50, 318.21, 384.29, 392.65, 393.063, 395.1023, 400.4174, 400.556, 402.165, 402.166, 409.1672, 409.176, 409.2554, 409.9126, 414.065, 415.5082, 415.5087, 447.401, 464.018, 490.014, 491.014, 741.30, 744.309, 784.075, 933.18, 944.401, 944.705, 984.03, 984.10, 984.15, 984.24, 985.03, and 985.303, F.S.; correcting cross references; conforming related provisions and references; amending ss. 213.053 and 409.2577, F.S.; authorizing disclosure of certain confidential taxpayer and parent locator information for diligent search activities under ch. 39, F.S.; creating s. 415.5076, F.S.; providing definitions relating to guardian ad litem and guardian advocate appointments; creating s. 435.045, F.S.; providing background screening requirements for prospective foster or adoptive parents; amending s. 943.045, F.S.; providing that the Department of Children and Family Services is a "criminal justice agency" for purposes of the criminal justice information system; repealing s. 39.0195, F.S., relating to sheltering unmarried minors and aiding unmarried runaways; repealing s. 39.0196, F.S., relating to children locked out of the home; repealing ss. 39.39, 39.449, and 39.459, F.S., relating to definition of "department"; repealing s. 39.403, F.S., relating to protective investigation; repealing s. 39.4032, F.S., relating to multidisciplinary case staffing; repealing s. 39.4052, F.S., relating to affirmative duty of written notice to adult relatives; repealing s. 39.4053, F.S., relating to diligent search after taking a child into custody; repealing s. 39.45, F.S., relating to legislative intent regarding foster care; repealing s. 39.457, F.S., relating to a pilot program in Leon County to provide additional benefits to children in foster care; repealing s. 39.4625, F.S., relating to identity or location of parent unknown after filing of petition for termination of parental rights; repealing s. 39.472, F.S., relating to court and witness fees; repealing s. 39.475, F.S., relating to rights of grandparents; repealing s. 415.501, F.S., relating to prevention of abuse and neglect of children and a state plan therefor; repealing s. 415.5015, F.S., relating to child abuse prevention training in the district school system; repealing ss. 415.5016, 415.50165, 415.5017, 415.50175, 415.5018, 415.50185, and 415.5019, F.S., relating to purpose and legislative intent, definitions, procedures, confidentiality of records, district authority and responsibilities, outcome evaluation, and rules, for the family services response system; repealing s. 415.502, F.S., relating to legislative intent for comprehensive protective services for abused or neglected children; repealing s. 415.503, F.S., relating to definitions; repealing s. 415.505, F.S., relating to child protective investigations and investigations of institutional child abuse or neglect; repealing s. 415.506, F.S., relating to taking a child into protective custody; repealing s. 415.5075, F.S., relating to rules for medical screening and treatment of children; repealing s. 415.509, F.S., relating to public agencies' responsibilities for prevention, identification, and treatment of child abuse and neglect; repealing s. 415.514, F.S., relating to rules for protective services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Roberts-Burke—

**HB 3885**—A bill to be entitled An act relating to minority business development; amending s. 287.09451, F.S.; providing additional duties of the Minority Business Advocacy and Assistance Office of the Department of Labor and Employment Security; amending s. 288.905, F.S.; requiring Enterprise Florida, Inc., to develop a utilization plan for minority business enterprise and to submit a report of total expenditures resulting from contracts with minority business enterprises for review and approval by the Minority Business Advocacy and Assistance Office; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Lynn—

**HB 3887**—A bill to be entitled An act relating to public records; amending and renumbering s. 415.51, F.S.; revising provisions relating to confidentiality of Department of Children and Family Services reports and records of cases of child abuse and neglect; providing an exemption from public records requirements for department reports and records of cases of child abandonment; requiring certain recordkeeping

and preservation by the department; providing for future review and repeal; providing a finding of public necessity; amending s. 119.07, F.S., to conform; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Financial Services; Representatives Safley, Bainter, Flanagan, Tamargo, Lawson, Dennis, Cosgrove, and Lippman—

**HB 3889**—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.7295, F.S.; authorizing certain fees; amending s. 627.736, F.S.; providing alternate means of paying certain interest penalties on overdue personal injury protection benefits; prohibiting a provider's statement of charges from including certain charges; specifying which party is the prevailing party in arbitration of disputes relating to personal injury protection claims; specifying where an independent medical examination of a claimant may be conducted; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Lawson—

**HB 3891**—A bill to be entitled An act relating to insurance; creating s. 627.5015, F.S.; prohibiting delivery or issuance of industrial life insurance policies after a certain date; providing application; requiring disclosure of certain information to policyholders or premium payors; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Lawson—

**HB 3893**—A bill to be entitled An act relating to postsecondary education; directing the Board of Regents to conduct a study relating to the establishment of a college of medicine at Florida Agricultural and Mechanical University; providing components of the study; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Saunders—

**HB 3895**—A bill to be entitled An act relating to provider sponsored organizations; creating pt. IV of ch. 641, F.S.; providing for establishment and licensure of provider sponsored organizations; providing a short title; providing legislative intent, findings, and purposes; providing definitions; providing applicability of other laws; requiring incorporation; providing construction; providing for application for certificates of authority; providing conditions precedent to issuance or maintenance of certificates of authority; providing for effect of bankruptcy proceedings; providing for issuance of certificates of authority; providing for continuing eligibility for certificates of authority; providing surplus requirements; specifying deposit into and disposition of certain moneys in the Rehabilitation Administrative Trust Fund; providing for revocation or cancellation of certificates of authority; providing for suspending enrollment of subscribers; providing for administrative, provider, and management contracts; providing requirements for contract providers; providing for administrative penalties; providing for acquisition, merger, or consolidation; requiring an annual report; providing for examination by the Department of Insurance; providing for civil remedies; providing for injunctions; providing for payment of judgments; providing for liquidation, rehabilitation, reorganization, and conservation; providing for application fees and filing fees; providing construction; prohibiting unfair practices relating to human immunodeficiency virus infections for contract purposes; specifying language used in contracts and advertisements; providing for standards for marketing to certain persons; providing for provider sponsored contracts; requiring disclosure of certain plan terms and conditions; requiring coverage for mammograms; providing requirements relating to breast cancer and followup care; providing for provider contracts; prohibiting certain words in organization names; providing requirements relating to certain assets, liabilities, and investments; requiring the Department of

Insurance to adopt rules; providing penalties; providing for dividends; specifying prohibited activities; providing penalties; providing for orders to discontinue certain advertising; requiring licensing and appointment of agents; providing exceptions; specifying unfair methods of competition; prohibiting unfair or deceptive acts or practices; providing definitions; providing general powers and duties of the Department of Insurance; authorizing the department to take certain actions against unfair competition and unfair or deceptive acts or practices; providing for cease and desist orders and penalty orders; providing for appeals from the department; providing a penalty for violating cease and desist orders; providing for civil liability; exempting provider service organizations from certain joint venture financial arrangement restrictions; amending ss. 641.316, 641.227, 641.47, 641.48, 641.49, 641.495, 641.51, 641.512, 641.513, 641.515, 641.54, 641.59, and 641.60, F.S., to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Mackenzie, King, and Jones—

**HB 3897**—A bill to be entitled An act relating to motor vehicles; amending s. 521.004, F.S.; modifying the disclosure form for a motor vehicle lease; amending s. 681.102, F.S.; modifying definitions applicable to motor vehicle sales warranties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Finance & Taxation; Representatives Starks, Melvin, Brooks, and Kosmas—

**HB 3899**—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.023, F.S.; defining "ministerial function" and "processing activity" for purposes of ch. 199, F.S.; amending s. 199.052, F.S.; increasing the minimum amount of annual intangible personal property tax which a person may be required to pay; providing taxable status of intangible personal property held by a trust for which a bank or savings association acts as trustee or as an agent other than a trustee; providing responsibilities of Florida residents with a beneficial interest in a trust for which a bank or savings association acts as trustee; providing taxable status of assets purchased by, and property managed by, an investment adviser under specified conditions; conforming language; repealing s. 199.052(11), F.S., relating to returns filed by banking organizations, to conform; amending s. 199.175, F.S., relating to taxable situs; conforming language; amending s. 199.185, F.S.; exempting accounts receivable arising out of a trade or business from intangible personal property taxes and providing a schedule for implementing the exemption; providing a full, rather than partial, exemption from the annual tax for banks and savings associations; exempting insurers from the annual tax; repealing s. 199.185(1)(i) and (k), F.S., relating to exemptions for international banking transactions and real estate mortgage investment conduits, to conform; repealing s. 199.104, F.S., which provides a credit against the annual tax for banks and savings associations; repealing s. 220.68, F.S., which provides a credit against the franchise tax imposed on banks and savings associations based on intangible tax paid; amending s. 199.282, F.S.; revising the penalty for late filing of an annual intangible tax return; providing a limitation on combined delinquency and late filing penalties; revising the penalty for omitting or undervaluing property on an annual return; amending s. 199.292, F.S.; revising the distribution of intangible tax revenues; providing for transition; amending s. 220.02, F.S., relating to order of credits against the corporate income tax or franchise tax, ss. 213.053 and 213.054, F.S., relating to information regarding the exemption for international banking transactions, and s. 624.509, F.S., relating to the insurance premium tax; conforming language; providing application; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Wasserman Schultz—

**HB 3901**—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; providing an additional requirement for school district receipt of lottery funds; amending s. 229.58, F.S.; providing a name requirement for school advisory councils and providing council

responsibilities and duties; providing for certain council review; providing for the use of funds; amending s. 229.592, F.S., relating to school improvement and education accountability; conforming provisions relating to release of funds to school districts; requiring notice of certain deficiency; amending s. 230.23, F.S., relating to school board duties; providing requirements for school improvement plans; requiring local-level decisionmaking policies; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Horan—

**HB 3903**—A bill to be entitled An act relating to the Old Keys Bridges located in Monroe County; amending chapter 86-304, Laws of Florida; providing legislative intent; providing that title to the bridges shall be held by the Board of Trustees of the Internal Improvement Trust Fund; providing an exception; authorizing rather than requiring the board to offer certain leases with respect to the bridges; revising language with respect to such leases; limiting commercial use of the bridges; eliminating obsolete language with respect to appropriations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Fasano, Feeney, Tobin, Bitner, Dawson-White, and Jacobs—

**HB 3905**—A bill to be entitled An act relating to the state lotteries; creating s. 24.1153, F.S.; authorizing the assignment of certain prizes pursuant to a court order and providing requirements therefor; providing for the securing of funds offset for child support payments or debts owed to a state agency; exempting the Department of the Lottery from liability upon payment of an assigned prize; authorizing a fee to defray the administrative expenses associated with such assignments; providing circumstances under which such court orders may no longer be issued; amending ss. 24.115 and 24.118, F.S., relating to payment of prizes and unlawful assignment or transfer of a right to claim a prize, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Arnall—

**HB 3907**—A bill to be entitled An act relating to occupational safety and health; amending s. 442.012, F.S.; providing for voluntary workplace safety programs and practices by private employers; repealing ss. 442.003, 442.006, 442.008, 442.009, 442.0105, 442.013, 442.015, 442.017, and 442.019, F.S., relating to requirements, compliance, enforcement, and penalties for workplace safety programs and practices by private employers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Miller—

**HB 3909**—A bill to be entitled An act relating to education; providing that state-funded education and care programs for infants and toddlers must foster brain development; requiring an evaluation and a report; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Crady—

**HB 3911**—A bill to be entitled An act relating to the Florida Retirement System; creating the "Keith Ward Act"; amending s. 121.021, F.S.; including certain correctional probation officers within the Special Risk Class of that system; amending s. 121.0515, F.S.; specifying criteria for inclusion of correctional probation officers in that class; providing for inclusion of probation and parole circuit and deputy circuit administrators in that class; providing a finding of important state interest; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Valdes—

**HB 3913**—A bill to be entitled An act relating to DUI vehicle impoundment; amending s. 316.193, F.S.; providing for the impoundment of motor vehicles during the period of probation for certain DUI convictions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Tobin and Brown—

**HB 3915**—A bill to be entitled An act relating to boating safety; amending s. 327.02, F.S.; redefining "personal watercraft"; amending s. 327.25, F.S.; classifying all personal watercraft as class A-2 vessels; amending s. 327.28, F.S.; providing for distribution and use of registration fees therefor; amending s. 327.39, F.S.; revising requirements for operation of a personal watercraft relating to authorized flotation devices, times of operation, maneuvers constituting reckless operation, and minimum age for operation; prohibiting lease, hiring, or rental to certain persons; requiring all vessel operators to have certain photographic identification; providing a penalty; providing a grandfather clause; amending s. 327.395, F.S.; conforming provisions relating to boating safety identification cards; amending s. 327.54, F.S.; revising requirements for lease, hiring, or rental of vessels by liveries relating to prerenal or preride instruction, minimum age for rental, and safety information and instruction; removing liveries' immunity from liability for certain accidents or injuries; requiring certain insurance coverage; providing a penalty; reenacting s. 327.73(1)(p) and (s), F.S., relating to a penalty for violation of vessel laws, to incorporate the amendments to ss. 327.39 and 327.395, F.S., in references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Saunders—

**HB 3917**—A bill to be entitled An act relating to Collier County; providing that certain fire districts of the county may be governed by a three-member board; providing for a referendum vote; providing form of ballot; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Wallace, Littlefield, Crist, Ogles, Bradley, Tamargo, Culp, Byrd, Safley, Murman, and Miller—

**HB 3919**—A bill to be entitled An act relating to Hillsborough County; amending chapter 67-945, Laws of Florida, as amended; providing for the election of school board members at the time of the first primary and general elections as provided by law; providing for any runoff to be held at the same time as the general election; providing an effective date.

Proof of publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Finance & Taxation; Representative Starks—

**HB 3921**—A bill to be entitled An act relating to drivers' licenses; amending s. 322.21, F.S.; revising language with respect to license fees for the renewal of certain Class D or Class E licenses; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Real Property & Probate; Representative Crow—

**HB 3923**—A bill to be entitled An act relating to guardianship; amending s. 744.369, F.S.; extending the time to review certain reports; authorizing random field audits; amending s. 744.702, F.S.; providing legislative intent to establish the Statewide Public Guardianship Office; directing the Department of Elderly Affairs to provide certain services

and support; creating s. 744.7021, F.S.; providing for the Statewide Public Guardianship Office within the Department of Elderly Affairs; providing for an executive director and oversight responsibilities; requiring submission of a guardianship plan and yearly status reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court; requiring the office to develop a training program; authorizing demonstration projects; providing for rules; amending s. 744.703, F.S.; providing for the executive director to establish offices of public guardian and to appoint public guardians; providing for transfer of oversight responsibility from the chief judge of the circuit to the office; providing for the suspension of public guardians, as specified; amending s. 744.706, F.S.; providing for the preparation of the budget of the Statewide Public Guardianship Office; amending s. 744.707, F.S.; revising language with respect to procedures and rules to include reference to the Statewide Public Guardianship Office; amending s. 744.708, F.S.; revising language with respect to reports and standards; providing reference to audits by the Auditor General; amending s. 744.709, F.S.; providing that surety bonds can be purchased from funds appropriated to the Statewide Public Guardianship Office; amending s. 744.1085, F.S.; revising language with respect to professional guardians to include reference to the Statewide Public Guardianship Office; amending s. 744.3135, F.S.; providing a procedure for obtaining fingerprint cards and for maintaining the results of certain investigations; amending s. 28.241, F.S.; providing for funds for public guardians; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Real Property & Probate; Representative Crow—

**HB 3925**—A bill to be entitled An act relating to public records exemptions; creating s. 744.7081, F.S.; providing an exemption from public records requirements for certain records requested by the Statewide Public Guardianship Office; providing for review and repeal; providing a statement of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Business Regulation & Consumer Affairs; Representative Ogles—

**HB 3927**—A bill to be entitled An act relating to telephonic solicitations; amending s. 501.059, F.S.; providing legislative intent; revising provisions relating to telephonic solicitations; revising definitions; revising procedures for limiting or prohibiting telephonic solicitations; revising certain fees; providing for notification of candidates for public office; revising requirements regulating telephonic solicitations; providing for legislative review of certain fees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Rules, Resolutions, & Ethics; Representatives Thrasher and Crady—

**HB 3929**—A bill to be entitled An act relating to a special election to be held on September 1, 1998, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of Florida of a joint resolution amending Section 17 of Article I of the State Constitution relating to the death penalty and interpretation of the term "cruel or unusual punishment"; providing for publication of notice and for procedures; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

To the General Calendar.

By Representative Bullard—

**HR 9301**—A resolution commending the Perrine-Cutler Ridge Council, Inc.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bullard—

**HR 9303**—A resolution recognizing John R. Brice.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Effman, Minton, and Fasano—

**HR 9305**—A resolution honoring Florida's veterans of World War II.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Thrasher—

**HR 9307**—A resolution proclaiming November 5-8, 1998, as Ham Jam Week in Clay County.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Roberts-Burke—

**HR 9309**—A resolution honoring Florida Memorial College.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Constantine—

**HR 9311**—A resolution honoring Matt Kuchar, winner of the United States Golf Association's 1997 U.S. Amateur Championship.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Morroni—

**HR 9313**—A resolution honoring community activist Cherry Harris.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives K. Pruitt, Wise, Brennan, Fischer, Littlefield, and Sindler—

**HR 9315**—A resolution commending RESPECT of Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hill—

**HR 9317**—A resolution commending the Raines High School varsity football team for winning the 1997 Class 4A State Championship.

First reading by publication (Art. III, s. 7, Florida Constitution).

#### Reference

**HB 471**—Referred to the Committee(s) on Financial Services, Governmental Rules & Regulations, Finance & Taxation, and General Government Appropriations.

**HB 613**—Referred to the Committee(s) on Community Affairs and Finance & Taxation.

**HB 939**—Referred to the Committee(s) on Civil Justice & Claims.

**HB 941**—Referred to the Committee(s) on Civil Justice & Claims.

**HB 945**—Referred to the Committee(s) on Environmental Protection, Community Affairs, Governmental Operations, and General Government Appropriations.

**HB 1055**—Referred to the Committee(s) on Civil Justice & Claims.

**HB 1093**—Referred to the Committee(s) on Elder Affairs & Long Term Care, Community Affairs, Finance & Taxation, and Health & Human Services Appropriations.

**HB 1095**—Referred to the Committee(s) on Community Affairs, Finance & Taxation, and Education Appropriations.

**HB 1213**—Referred to the Committee(s) on Health Care Services and Education Appropriations.

**HB 1381**—Referred to the Committee(s) on Crime & Punishment, Finance & Taxation, and Criminal Justice Appropriations.

**HB 1397**—Referred to the Committee(s) on Law Enforcement & Public Safety, Crime & Punishment, and Criminal Justice Appropriations.

**HB 1581**—Referred to the Committee(s) on Community Colleges & Career Prep and Education Appropriations.

**HB 1605**—Referred to the Committee(s) on Community Affairs, Finance & Taxation, and Education Appropriations.

**HB 1645**—Referred to the Committee(s) on Utilities & Communications.

**HB 1671**—Referred to the Committee(s) on Family Law & Children and Health & Human Services Appropriations.

**HB 1727**—Referred to the Committee(s) on Crime & Punishment.

**HB 1735**—Referred to the Committee(s) on Community Affairs, Finance & Taxation, and Education Appropriations.

**HB 1751**—Referred to the Committee(s) on Education Innovation, Finance & Taxation, and Education Appropriations.

**HB 1757**—Referred to the Committee(s) on Governmental Operations, Finance & Taxation, and General Government Appropriations.

**HB 2037**—Referred to the Committee(s) on Governmental Operations.

**HB 2041**—Referred to the Committee(s) on Health Care Standards & Regulatory Reform and Community Affairs.

**HB 2043**—Referred to the Committee(s) on Election Reform and Education Innovation.

**HB 2045**—Referred to the Committee(s) on Rules, Resolutions, & Ethics.

**HCR 2047**—Referred to the Committee(s) on Rules, Resolutions, & Ethics.

**HB 2115**—Referred to the Committee(s) on Environmental Protection and Water & Resource Management.

**HB 2117**—Referred to the Committee(s) on Civil Justice & Claims.

**HB 2119**—Referred to the Committee(s) on Community Affairs.

**HB 2125**—Referred to the Committee(s) on Governmental Rules & Regulations.

**HJR 2127**—Referred to the Committee(s) on Reapportionment, Election Reform, and General Government Appropriations.

**HB 2129**—Referred to the Committee(s) on Civil Justice & Claims.

**HB 2131**—Referred to the Committee(s) on Education/K-12, Children & Family Empowerment, and Education Appropriations.

**HB 2133**—Referred to the Committee(s) on Education/K-12 and Children & Family Empowerment.

**HB 2135**—Referred to the Committee(s) on Civil Justice & Claims.

**HB 2141**—Referred to the Committee(s) on Financial Services and Civil Justice & Claims.

#### Republication of Notice for Carried-Over Local Bills

Proof of republication of the required notice for 1998 was attached to the following bills: HBs 653, 1711, 1713, 1717, 1767, 1769, 1771, 2001, 2129, and 2135.

#### Additional Reference of Bills

CS/CS/HB 349 was further referred to the Committee on Health Care Standards & Regulatory Reform.

CS/HB 1259 was further referred to the Committee on Juvenile Justice and the references were reordered to the Committees on Juvenile Justice and Criminal Justice Appropriations.

CS/HB 1793 was further referred to the Committee on General Government Appropriations.

CS/HB 2037 was further referred to the Committee on Transportation.

CS/HB 3265 was further referred to the Committee on General Government Appropriations.

CS/HB 3269 was further referred to the Committee on Election Reform.

#### Removal of References

The Speaker advised that all references of the following bills were removed and the bills shown as filed but not referred: CS/HB 17; HB 237; HB 911; HB 939; HB 1367; HB 1743; HB 1959; and HB 2043.

#### First Reading of Committee Substitutes by Publication

By the Committees on Education Appropriations; Education Innovation; Representatives Rodriguez-Chomat and D. Prewitt—

**CS/CS/HB 175**—A bill to be entitled An act relating to education; creating a pilot program to increase the number of school counselors, contingent upon an appropriation; providing for grant allocations; requiring an evaluation and report; providing an effective date.

By the Committee on Health Care Services; Representatives Greene and Dawson-White—

**CS/HB 219**—A bill to be entitled An act relating to neurodegenerative disorders; amending s. 430.501, F.S.; limiting terms for member of the Alzheimer's Disease Advisory Committee; creating the Parkinson's Disease Advisory Committee; providing duties and responsibilities; requiring reports; providing for membership and organization; providing for staff support; providing for expenses for certain members; providing for dissolution of the committee; amending s. 430.502, F.S.; providing for Alzheimer's and Parkinson's diseases memory disorder clinics and day care and respite care programs; providing for annual evaluation of the need for additional clinics; authorizing, rather than requiring, the Department of Elderly Affairs to contract for model day care programs in conjunction with such clinics; authorizing department programs for persons with Parkinson's disease and similar neurodegenerative disorders; providing for fees; providing an effective date.

By the Committees on Health & Human Services Appropriations; Health Care Standards & Regulatory Reform; Representatives Sanderson, Saunders, and Murman—

**CS/CS/HB 349**—A bill to be entitled An act relating to the regulation of health care facilities; amending s. 20.42, F.S.; deleting the responsibility of the Division of Health Policy and Cost Control within the Agency for Health Care Administration for reviewing hospital budgets; abolishing the Health Care Board; amending s. 154.209, F.S.; expanding programs eligible for financing by a health facilities authority; amending s. 154.304, F.S., relating to health care for indigent persons; revising definitions; amending ss. 212.055 and 394.4788, F.S., relating to discretionary sales surtaxes and mental health services; updating provisions relating to duties formerly performed by the Health Care Cost Containment Board; amending s. 395.0163, F.S.; providing exemptions from construction inspections and investigations by the Agency for Health Care Administration for certain outpatient facilities; providing exceptions; amending s. 395.0197, F.S.; exempting ambulatory surgical centers and hospitals from certain staffing

requirements in surgical recovery rooms; amending s. 395.1055, F.S.; requiring the Agency for Health Care Administration to adopt rules to assure that, following a disaster, licensed facilities are capable of serving as shelters only for patients, staff, and the families of staff; providing for applicability; providing for a report by the agency to the Governor and Legislature; amending s. 395.3025, F.S.; revising charges for copies of medical records; amending s. 395.401, F.S.; providing for certain reports formerly made to the Health Care Board to be made to the agency; amending s. 395.701, F.S., relating to the Public Medical Assistance Trust Fund; revising definitions; amending ss. 408.05, 408.061, 408.062, and 408.063, F.S., relating to the State Center for Health Statistics and the collection and dissemination of health care information; updating provisions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Board and the former Department of Health and Rehabilitative Services; authorizing the agency to conduct data-based studies and make recommendations; deleting obsolete provisions; amending s. 408.07, F.S.; deleting definitions made obsolete by the repeal of requirements with respect to hospital budget reviews; amending s. 408.08, F.S.; deleting provisions requiring the Health Care Board to review the budgets of certain hospitals; deleting requirements that a hospital file budget letters; deleting certain administrative penalties; amending s. 408.40, F.S.; removing a reference to the duties of the Public Counsel with respect to hospital budget review proceedings; amending ss. 409.2673 and 409.9113, F.S., relating to health care programs for low-income persons and the disproportionate share program for teaching hospitals; updating provisions to reflect the abolishment of the Health Care Cost Containment Board and the assumption of its duties by the agency; repealing ss. 395.403(9), 407.61, 408.003, 408.072, and 408.085, F.S., relating to reimbursement of state-sponsored trauma centers, studies by the Health Care Board, appointment of members to the Health Care Board, review of hospital budgets, and budget reviews of comprehensive inpatient rehabilitation hospitals; providing for retroactive application of provisions of the act relating to repeal of review of hospital budgets; amending ss. 381.026 and 381.0261, F.S.; requiring distribution of the Florida Patient's Bill of Rights and Responsibilities; providing penalties; repealing s. 395.002(2) and (15), F.S.; deleting definitions of "adverse or untoward incident" and "injury"; amending s. 395.0193, F.S.; revising provisions relating to facility peer review disciplinary actions against practitioners; requiring report to the Agency for Health Care Administration; providing penalties; amending s. 395.0197, F.S.; revising provisions relating to internal risk management; defining "adverse incident"; requiring certain reports to the agency; including minors in provisions relating to notification of sexual misconduct or abuse; requiring facility corrective action plans; providing penalties; correcting cross references; renumbering s. 626.941, F.S., relating to purpose of the health care risk manager licensure program; renumbering and amending s. 626.942, F.S., relating to the Health Care Risk Manager Advisory Council; renumbering and amending s. 626.943, F.S.; providing powers and duties of the agency; renumbering and amending s. 626.944, F.S., relating to qualifications for health care risk managers; providing for fees; providing for issuance, cancellation, and renewal of licenses; renumbering and amending s. 626.945, F.S., relating to grounds for denial, suspension, or revocation of licenses; amending ss. 394.4787, 395.602, 395.701, 400.051, 409.905, 440.13, 458.307, 458.331, 459.015, 468.505, 641.55, and 766.1115, F.S.; conforming references and correcting cross references; transferring the internal risk manager licensure program from the Department of Insurance to the Agency for Health Care Administration; providing an appropriation; providing effective dates.

By the Committees on Health Care Standards & Regulatory Reform; Health & Human Services Appropriations; Health Care Standards & Regulatory Reform; Representatives Sanderson, Saunders, and Murman—

**CS/CS/CS/HB 349**—A bill to be entitled An act relating to the regulation of health care facilities; amending s. 20.42, F.S.; deleting the responsibility of the Division of Health Policy and Cost Control within the Agency for Health Care Administration for reviewing hospital budgets; abolishing the Health Care Board; amending ss. 154.304,

154.306, and 154.312, F.S., relating to health care for indigent persons; revising definitions; conforming references to changes made by the act; amending s. 394.4788, F.S., relating to mental health services; updating provisions relating to duties of the agency formerly performed by the Health Care Cost Containment Board; amending s. 395.0163, F.S.; providing exemptions from construction inspections and investigations by the Agency for Health Care Administration for certain outpatient facilities; providing exceptions; amending s. 395.1055, F.S.; requiring the Agency for Health Care Administration to adopt rules to assure that, following a disaster, licensed facilities are capable of serving as shelters only for patients, staff, and the families of patients and staff; providing for applicability; providing for a report by the agency to the Governor and Legislature; amending s. 395.401, F.S.; providing for certain reports formerly made to the Health Care Board to be made to the agency; amending s. 395.701, F.S., relating to the Public Medical Assistance Trust Fund; revising definitions; amending ss. 395.403, 395.605, 395.7015, and 395.806, F.S.; conforming references; amending ss. 408.05, 408.061, 408.062, and 408.063, F.S., relating to the State Center for Health Statistics and the collection and dissemination of health care information; updating provisions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Board and the former Department of Health and Rehabilitative Services; authorizing the agency to conduct data-based studies and make recommendations; deleting obsolete provisions; amending s. 408.07, F.S.; deleting definitions made obsolete by the repeal of requirements with respect to hospital budget reviews; amending s. 408.08, F.S.; deleting provisions requiring the Health Care Board to review the budgets of certain hospitals; deleting requirements that a hospital file budget letters; deleting certain administrative penalties; amending s. 408.40, F.S.; removing a reference to the duties of the Public Counsel with respect to hospital budget review proceedings; amending s. 408.50, F.S.; conforming a reference; amending ss. 409.2673 and 409.9113, F.S., relating to health care programs for low-income persons and the disproportionate share program for teaching hospitals; updating provisions to reflect the abolishment of the Health Care Cost Containment Board and the assumption of its duties by the agency; repealing ss. 395.403(9), 407.61, 408.003, 408.072, and 408.085, F.S., relating to reimbursement of state-sponsored trauma centers, studies by the Health Care Board, appointment of members to the Health Care Board, review of hospital budgets, and budget reviews of comprehensive inpatient rehabilitation hospitals; providing for retroactive application of provisions of the act relating to repeal of review of hospital budgets; amending ss. 381.026 and 381.0261, F.S.; requiring distribution of the Florida Patient's Bill of Rights and Responsibilities; providing penalties; repealing s. 395.002(2) and (15), F.S.; deleting definitions of "adverse or untoward incident" and "injury"; amending s. 395.0193, F.S.; revising provisions relating to facility peer review disciplinary actions against practitioners; requiring a report to the Agency for Health Care Administration; providing penalties; amending s. 395.0197, F.S.; revising provisions relating to internal risk management; defining the term "adverse incident"; requiring certain reports to the agency; including minors in provisions relating to notification of sexual misconduct or abuse; requiring facility corrective action plans; providing penalties; renumbering s. 626.941, F.S., relating to the purpose of the health care risk manager licensure program; renumbering and amending s. 626.942, F.S., relating to the Health Care Risk Manager Advisory Council; renumbering and amending s. 626.943, F.S.; providing powers and duties of the agency; renumbering and amending s. 626.944, F.S., relating to qualifications for health care risk managers; providing for fees; providing for issuance, cancellation, and renewal of licenses; renumbering and amending s. 626.945, F.S., relating to grounds for denial, suspension, or revocation of licenses; amending ss. 394.4787, 395.602, 400.051, 409.905, 440.13, 458.331, 459.015, 468.505, 641.55, and 766.1115, F.S.; conforming references and correcting cross references; transferring the internal risk manager licensure program from the Department of Insurance to the Agency for Health Care Administration; providing an appropriation; providing effective dates.

By the Committees on Governmental Operations; Transportation; Representatives Lippman, Jones, Trovillion, Cosgrove, Fuller, Sublette, Miller, Tobin, Casey, Fasano, Brown, Jacobs, Tamargo, Silver, and Ogles—

**CS/CS/HB 447**—A bill to be entitled An act relating to the Florida Safety Belt Law; amending s. 316.614, F.S.; eliminating a provision which requires enforcement of the act only as a secondary action; providing an effective date.

By the Committee on Agriculture; Representatives Minton, Putnam, Feeney, Smith, Silver, Murman, Dockery, Crady, King, Bainter, Peaden, Spratt, and Westbrook—

**CS/HB 489**—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.461, F.S.; specifying the types of additional use factors that the property appraiser may consider in assessing agricultural land; providing that the property appraiser, when utilizing the income methodology approach, shall rely on 5-year moving average data for assessment; providing an effective date.

By the Committees on Elder Affairs & Long Term Care; Civil Justice & Claims; Representatives Rodriguez-Chomat, Feeney, and Brooks—

**CS/CS/HB 547**—A bill to be entitled An act relating to mental health; creating the “Robert Newman and Stuart Simon Act of 1998”; amending s. 394.463, F.S.; providing for court hearings on requests for ex parte orders for involuntary examination of mentally ill persons; providing for findings; providing for rescission of orders under certain circumstances; providing for release of persons being held for examination; prohibiting certain administration of drugs without informed consent or a court order; providing an exception; providing penalties; amending s. 394.4599, F.S.; requiring certain notice to the parent or guardian when a minor is involuntarily held; providing an effective date.

By the Committee on Governmental Rules & Regulations; Representative Kelly—

**CS/HB 667**—A bill to be entitled An act relating to motorcycle safety education; amending s. 215.22, F.S.; providing an exemption from a required deduction for that portion of the Highway Safety Operating Trust Fund funded by the motorcycle safety education fee; amending s. 322.0255, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to purchase and maintain motorcycles, equipment, and materials for use in motorcycle safety courses; deleting a limitation on the reimbursement of certain fees; amending s. 322.21, F.S.; increasing the motorcycle endorsement fee; providing an effective date.

By the Committees on Law Enforcement & Public Safety; Crime & Punishment; Representatives Lynn, Chestnut, Heyman, Crow, Meek, and Fischer—

**CS/CS/HB 679**—A bill to be entitled An act relating to weapons and firearms; creating s. 790.233, F.S.; prohibiting a person who has been issued a currently effective final injunction against committing acts of domestic violence from possessing any firearm or ammunition; providing penalties; providing an exception for law enforcement officers; amending s. 741.30, F.S.; requiring that a final injunction for protection against domestic violence indicate that possessing any firearm or ammunition is prohibited; amending s. 741.31, F.S.; providing that it is a first degree misdemeanor to violate a final injunction by possessing a firearm or ammunition; providing an exception for law enforcement officers; amending s. 901.15, F.S.; providing for arrest without warrant under certain circumstances when there is probable cause to believe that the person has committed a crime in violation of specified provisions prohibiting possession of firearm or ammunition by person restrained by final injunction from committing acts of domestic violence; amending s. 790.06, F.S., relating to issuance by the Department of State of license to carry a concealed weapon or firearm; revising qualifications for such license to include restrictions that the applicant has not had adjudication of guilt withheld or imposition of sentence suspended for committing a misdemeanor crime of domestic violence within a specified period and is not enjoined from committing acts of

domestic violence or repeat violence; requiring denial or revocation of such license under specified circumstances; requiring that the department suspend such license, or the processing of the license application, if the licensee or applicant is issued an injunction against committing acts of domestic violence or acts of repeat violence; amending s. 790.065, F.S.; removing obsolete provisions; requiring that the Department of Law Enforcement determine if a potential buyer or transferee of a firearm has been convicted of a misdemeanor crime of domestic violence or had adjudication of guilt withheld or imposition of sentence suspended for committing a misdemeanor crime of domestic violence; providing an effective date.

By the Committee on Community Affairs; Representatives Wallace, Maygarden, Gay, Turnbull, Feeney, Livingston, Fasano, Melvin, and Trovillion—

**CS/HB 729**—A bill to be entitled An act relating to the Legislature; creating s. 11.077, F.S., the “Taxpayer Protection Act”; requiring that any general law enacted by the Legislature that will potentially increase the cost of local government personnel salaries, wages, or benefits must include an economic impact statement; providing requirements for the economic impact statement and preparation and publication thereof; providing an effective date.

By the Committees on Law Enforcement & Public Safety; Transportation; Representatives Hill, Feeney, and Heyman—

**CS/CS/HB 737**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 324.201, F.S.; deleting the requirement that recovery agents notify law enforcement of a license plate seizure; amending s. 324.202, F.S.; expanding into additional counties a pilot project that authorizes a recovery agent or recovery agency to seize the license plate of a motor vehicle following suspension of the vehicle’s registration or suspension of the driver’s license of the owner or operator of the vehicle for failing to maintain personal injury protection; requiring that the department provide procedures for paying fees; amending s. 627.733, F.S.; deleting payment of a fee to recovery agents; providing an effective date.

By the Committees on Governmental Operations; Health Care Standards & Regulatory Reform; Representative D. Prewitt—

**CS/CS/HB 757**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information about patients of home medical equipment providers which is obtained by employees or service providers or the licensing agency; providing an exemption from public records requirements for information obtained by the Agency for Health Care Administration or a home medical equipment provider in connection with background screening of prospective employees of the provider; providing for future review and repeal; providing findings of public necessity; providing a contingent effective date.

By the Committees on Governmental Rules & Regulations; Health Care Standards & Regulatory Reform; Representative D. Prewitt—

**CS/CS/HB 759**—A bill to be entitled An act relating to home medical equipment providers; creating part IX of chapter 400, F.S.; providing for regulation of home medical equipment providers by the Agency for Health Care Administration; providing legislative intent; providing definitions; providing for licensure and exemptions; providing unlawful acts; providing penalties; providing for license applications; providing for fees; providing for background screening; providing for provisional licenses and temporary permits; providing for administrative penalties; providing for injunctions, emergency orders, and moratoriums; providing for licensure inspections and investigations; providing minimum standards; providing for agency rules; providing for patient records; providing for notice of toll-free telephone number for the central abuse registry; providing for background screening of home medical equipment provider personnel; providing penalties; providing screening procedures; providing for agency injunctions; prohibiting patient referrals and rebates; providing for application of the act to existing providers; providing an appropriation; providing an effective date.

By the Committee on Finance & Taxation; Representatives Gay and Feeney—

**CS/HB 823**—A bill to be entitled An act relating to financial matters; amending s. 18.10, F.S., which provides requirements for deposit and investment of state money; revising the standards that certain corporate obligations and state and local government obligations must meet to be qualified for such investment; authorizing investment in certain foreign bonds and certain convertible debt obligations of corporations domiciled in the United States; providing an effective date.

By the Committee on Business Regulation & Consumer Affairs; Representative Crady—

**CS/HB 885**—A bill to be entitled An act relating to funeral directing, embalming, and direct disposition; amending s. 470.002, F.S.; expanding the definition of the term “legally authorized person”; amending s. 470.006, F.S.; revising a provision relating to licensure as an embalmer by examination, to clarify applicability of the internship requirement; amending s. 470.0085, F.S., relating to the embalmer apprentice program; authorizing an extension of apprenticeship for certain students working in funeral establishments; amending s. 470.009, F.S.; reorganizing provisions relating to licensure as a funeral director by examination, to clarify applicability of the internship requirement; amending ss. 470.015 and 470.018, F.S.; providing for inclusion of a required course on human immunodeficiency virus and acquired immune deficiency syndrome in the board-approved course on communicable diseases for renewal of funeral director and embalmer licenses and renewal of registration of direct disposers; amending s. 470.024, F.S.; authorizing operation of visitation chapels and establishing criteria therefor; providing licensing limitations with respect to colocated facilities; requiring the relicensure of funeral establishments whose ownership has changed; amending s. 470.029, F.S.; providing a filing date for monthly reports on final dispositions; amending s. 470.0301, F.S.; providing requirements for registration of centralized embalming facilities, including biennial renewal and applicable fees; providing for an annual inspection fee; creating s. 470.0315, F.S.; providing for the storage, preservation, and transportation of human remains; creating s. 470.0355, F.S.; providing for the identification of human remains; amending s. 470.036, F.S.; extending disciplinary actions to certain registrants and licensees; providing an effective date.

By the Committee on Elder Affairs & Long Term Care; Representatives Crist, Bitner, Futch, Bainter, and Jacobs—

**CS/HB 1093**—A bill to be entitled An act relating to taxation of homes for the aged; amending s. 196.1976, F.S.; providing that the provisions of s. 196.1975, F.S., relating to the ad valorem tax exemption for nonprofit homes for the aged, are severable, rather than nonseverable; creating s. 196.1977, F.S.; providing an exemption for each apartment in certain continuing care facilities occupied by a person who makes the apartment his or her permanent home and who is not eligible for homestead exemption; providing procedures and requirements; providing legislative intent; providing an effective date.

By the Committee on Finance & Taxation; Representative Crist—

**CS/HB 1095**—A bill to be entitled An act relating to creation of the Florida Community Outreach Partnership Act of 1998; directing the Secretary of Community Affairs to carry out a demonstration program to determine the feasibility of facilitating partnerships between state universities and communities to solve urban problems; authorizing grants to state universities to establish Florida Community Outreach Partnership Centers; providing responsibilities of such centers; providing selection criteria for grant recipients; providing requirements regarding the state and nonstate share of grants; providing for a state advisory council and state clearinghouse; specifying use of funds made available for this program; requiring reports; providing an effective date.

By the Committees on Law Enforcement & Public Safety; Representatives Betancourt, Fasano, and Heyman—

**CS/HB 1137**—A bill to be entitled An act relating to tests for alcohol, chemical substances, or controlled substances; amending ss. 316.1932

and 316.1933, F.S.; amending the implied consent law and laws prescribing testing for impairment or intoxication in cases of death or serious bodily injury; authorizing certain health care providers who become aware of a person's unlawful blood-alcohol level to notify law enforcement officials; prescribing a form for the notice; providing that such reporting is not a violation of any ethical or moral duty; prohibiting any action or administrative proceeding being brought against anyone participating in good faith in making such report; providing immunity from civil or criminal liability and from any professional disciplinary action; providing immunity in any judicial proceeding resulting from the report; providing an effective date.

By the Committees on Health Care Standards & Regulatory Reform; Law Enforcement & Public Safety; Representatives Betancourt, Fasano, and Heyman—

**CS/CS/HB 1137**—A bill to be entitled An act relating to tests for alcohol, chemical substances, or controlled substances; amending ss. 316.1932 and 316.1933, F.S., relating to implied consent for testing for impairment or intoxication in cases of death or serious bodily injury; authorizing certain health care providers who become aware of a person's unlawful blood-alcohol level to notify law enforcement officials; prescribing a form for the notice; providing that such notice or failure to provide notice is not a violation of any ethical, moral, or legal duty; prohibiting any action or administrative proceeding being brought against anyone participating in good faith in providing or failing to provide such notice; providing for certain immunity from civil or criminal liability and from any professional disciplinary action; providing for certain immunity in any judicial proceeding resulting from the notice or failure to provide notice; providing an effective date.

By the Committee on Health Care Services; Representatives Murman, Fasano, Bronson, and Livingston—

**CS/HB 1213**—A bill to be entitled An act relating to health care; establishing the Prostate Cancer Task Force; providing for representation on the task force; providing responsibilities; requiring a report to the Governor and the Legislature; providing for future repeal; amending s. 240.5121, F.S.; increasing membership of the Florida Cancer Control and Research Advisory Council; requiring the council to purchase or develop a written summary of cancer treatment alternatives for prostate cancer; providing appropriations for developing or purchasing and for distributing bilingual pamphlets, and for developing and implementing education programs, on prostate cancer and breast cancer; providing an effective date.

By the Committees on Governmental Rules & Regulations; Health Care Standards & Regulatory Reform; Representatives D. Prewitt and Wallace—

**CS/CS/HB 1241**—A bill to be entitled An act relating to pharmaceuticals; creating a study commission for the purpose of studying the variations in the cost of prescription drugs; providing for membership; providing for organization and administration; requiring meetings and public hearings; providing for expert testimony; requiring a report; providing an effective date.

By the Committee on Crime & Punishment; Representatives Dawson-White, Futch, Roberts-Burke, Murman, Meek, Brown, and Heyman—

**CS/HB 1259**—A bill to be entitled An act relating to criminal offenses involving minors; creating the Children's Protection Act of 1998; amending s. 775.084, F.S., relating to violent career criminal sentencing, to conform to the act; amending ss. 787.01 and 787.02, F.S., relating to kidnapping and false imprisonment, to conform to the act; amending s. 800.03, F.S.; redefining the offense of unlawful exposure or exhibition of sexual organs to prohibit appearing naked under specified circumstances; providing penalties; providing an exception for maternal breastfeeding; amending s. 800.04, F.S.; creating the offenses of “lewd or lascivious battery,” “lewd or lascivious molestation,” “lewd or lascivious conduct,” and “lewd or lascivious exhibition”; providing definitions; providing penalties; precluding consent from being raised as a defense except in certain circumstances; precluding ignorance or belief

of age from being raised as a defense; providing an exception for maternal breastfeeding; deleting provisions that define and provide penalties for "lewd, lascivious, or indecent assault or act upon or in the presence of a child"; amending s. 826.04, F.S., relating to incest; removing definition of "sexual intercourse" and defining "sexual activity"; redefining the offense of third degree felony incest to include knowingly marrying or engaging in sexual activity with any of the specified relatives who is at least 18 years old; providing penalties; defining the offense of second degree felony incest against a person under 16 years of age; providing penalties; reenacting ss. 775.15(7), 787.025(2)(a), 914.16, and 944.606(1)(b), F.S., relating to time limitations, luring or enticing a child, limits on interviews, and sex offender notification upon release, to incorporate the amendments to ss. 800.04 and 826.04, F.S., in cross references; amending s. 921.0022, F.S.; ranking offenses created in the act in the Criminal Punishment Code offense severity ranking chart; amending s. 948.03, F.S., and reenacting s. 948.03(6), F.S., relating to terms and conditions of probation or community control, to conform to the act; providing an effective date.

By the Committee on Financial Services; Representatives Ball and Cosgrove—

**CS/HB 1311**—A bill to be entitled An act relating to Florida Life and Health Guaranty Association assessments; amending s. 631.718, F.S.; revising a provision providing a preferential rate of assessment for insurance companies that issue certain annuity contracts; providing an effective date.

By the Committee on Finance & Taxation; Representative Stafford—

**CS/HB 1373**—A bill to be entitled An act relating to taxation; creating s. 197.4155, F.S.; authorizing county tax collectors to implement an installment payment program for delinquent personal property taxes; providing conditions for participation in the program by taxpayers; providing application requirements; authorizing the tax collector to prescribe an installment payment plan and providing requirements with respect thereto; providing that tax warrants against a taxpayer participating in a plan are unenforceable if specified conditions are met; authorizing the tax collector to use all legally available enforcement methods if taxes due under an installment plan are not paid in full; amending s. 197.432, F.S.; revising requirements for calculating the rate of interest on void tax certificates; prohibiting holders of tax certificates from contacting property owners and demanding payment without approval of the Department of Revenue; amending s. 197.472, F.S.; specifying the amount of interest earned when a tax certificate is redeemed and eliminating a mandatory minimum charge; amending s. 197.172, F.S., relating to interest on tax certificates, to conform; creating s. 213.68, F.S.; specifying the garnishment authority and procedures applicable to counties which self-administer the local option tourist development tax; providing an effective date.

By the Committees on Finance & Taxation; Regulated Services; Representatives Rodriguez-Chomat, Fasano, and Edwards—

**CS/CS/HB 1407**—A bill to be entitled An act relating to the state lottery; amending s. 24.115, F.S.; providing for reducing prize amounts to certain persons who receive public assistance under certain circumstances; providing for deducting overpayments from public assistance payment under certain circumstances; providing for agency responsibility for identifying certain recipients of public assistance; providing for disposition of remainders of lottery prizes under certain circumstances; providing immunity from liability to state agencies under certain circumstances; defining "public assistance"; amending s. 414.28, F.S.; conforming provisions relating to public assistance payments; providing reporting requirements; providing an effective date.

By the Committee on Governmental Operations; Representative Brennan—

**CS/HB 1433**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; deleting provisions relating to the release of

records of the Department of Children and Family Services which pertain to the investigation of the death of a disabled adult or elderly person as a result of abuse, neglect, or exploitation or the death of a child as a result of abuse, neglect, or abandonment; amending s. 415.107, F.S., and repealing s. 415.107(1)(b), F.S.; revising provisions relating to release of records in the event of the death of a disabled adult or elderly person as a result of abuse, neglect, or exploitation; amending s. 415.51, F.S., and repealing s. 415.51(1)(b), F.S.; revising provisions relating to release of records in the event of the death of a child as a result of abuse, abandonment, or neglect; providing an effective date.

By the Committees on Finance & Taxation; Community Colleges & Career Prep; Representative Morse—

**CS/CS/HB 1503**—A bill to be entitled An act relating to Miami-Dade Community College, Dade County; designating the district board of trustees of the college as a special district for a specified period; providing application of certain provisions of general law; authorizing the board to levy up to 1 mill ad valorem tax per year for 10 years; providing for assessment and collection; providing legislative intent with respect to state funding for Miami-Dade Community College; prohibiting establishment of certain differentiated fees; providing for a referendum; providing an effective date.

By the Committees on Law Enforcement & Public Safety; Governmental Operations; Representative Hill—

**CS/CS/HB 1637**—A bill to be entitled An act relating to confidentiality of identifying information regarding domestic violence victims; creating s. 741.401, F.S.; providing legislative findings and purpose; creating s. 741.402, F.S.; providing definitions; creating s. 741.403, F.S.; providing for creation of the Address Confidentiality Program for Victims of Domestic Violence; providing for certification by the Attorney General of applicants to participate in the program; defining the offense of falsely attesting or knowingly providing false or incorrect information in such program application, and providing second degree misdemeanor penalties therefor; defining the offense of attempting to gain access to a program participant's actual address through fraud, and providing third degree felony penalties therefor; creating s. 741.404, F.S.; providing for certification cancellation; creating s. 741.405, F.S.; providing authority of state and local agencies and other governmental entities and guidelines relating to use of designated address; providing for appeal by agency of requested waiver; creating s. 741.406, F.S.; providing for voting by program participants in the same manner as absentee voters; prohibiting the supervisor of elections from disclosing certain information, except under specified circumstances; creating s. 741.407, F.S.; prohibiting disclosure of addresses and certain information, except under specified circumstances; requiring immediate written notification by the Attorney General to a program participant with respect to certain disclosure of information; creating s. 741.408, F.S.; providing for certain assistance for program applicants; creating s. 741.409, F.S.; providing for adoption of rules; providing an effective date.

By the Committees on Law Enforcement & Public Safety; Governmental Operations; Representative Hill—

**CS/CS/HB 1639**—A bill to be entitled An act relating to public records; creating s. 741.465, F.S.; providing an exemption from public records requirements for certain personal information about program participants in the Address Confidentiality Program for Victims of Domestic Violence; providing exceptions; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committee on Transportation; Representatives Flanagan, Thrasher, Bainter, Melvin, Burroughs, Dockery, Lynn, Turnbull, and Bitner—

**CS/HB 1691**—A bill to be entitled An act relating to limits on liability for motor vehicles; creating s. 768.092, F.S.; limiting liability for certain damages arising from motor vehicle accidents; requiring renters with foreign driver licenses to purchase certain liability insurance from the

motor vehicle rental business; amending s. 627.7263, F.S.; modifying language required in rental and lease agreements regarding insurance coverage; providing for a required notice; providing for severability; providing an effective date.

By the Committee on Crime & Punishment; Representative Livingston—

**CS/HB 1727**—A bill to be entitled An act relating to assault and battery upon code inspectors; creating s. 784.083, F.S.; providing enhanced penalties for assault or aggravated assault or battery or aggravated battery upon a “code inspector,” as defined; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart; providing for ranking of the offenses of aggravated assault upon a code inspector, battery upon a code inspector, and aggravated battery upon a code inspector; providing an effective date.

By the Committee on Health Care Standards & Regulatory Reform; Representatives Saunders, Lippman, and Tobin—

**CS/HB 1739**—A bill to be entitled An act relating to poison control; amending s. 395.1027, F.S., and creating s. 401.268, F.S.; requiring each basic and advanced life support service and air ambulance service to develop and implement a prehospital emergency dispatch protocol with the appropriate regional poison control center; providing that the regional poison control centers shall assume responsibility and liability for calls transferred in accordance with the protocol; providing an effective date.

By the Committee on Education Innovation; Representatives Andrews and Melvin—

**CS/HB 1751**—A bill to be entitled An act relating to education; creating s. 228.0561, F.S.; authorizing charter conversion municipal subdistricts; providing requirements for operation; providing for areas of municipal jurisdiction; providing an effective date.

By the Committee on Law Enforcement & Public Safety; Representatives Stafford and Warner—

**CS/HB 1761**—A bill to be entitled An act relating to the storage of firearms; creating the “Safe Storage of Firearms for the Protection of Children Act”; prohibiting insurance companies authorized to conduct business in this state from increasing premiums on homeowner’s or property and casualty insurance on the ground of storage of a firearm that has been secured with an activated locking device; authorizing such insurance companies to decrease premiums on such insurance if the insured has certified that all firearms owned by the insured are stored and secured with an activated locking device; amending s. 790.001, F.S.; redefining the term “securely encased” to mean a firearm that is secured with an activated locking device; defining the term “locking device”; providing that it is a third degree felony to knowingly alter or remove a locking device from a firearm without authorization of the owner; providing that it is a third degree felony to knowingly sell, deliver, or possess a firearm if the firearm’s locking device has been altered or removed without authorization of the owner; providing penalties; amending s. 784.05, F.S.; providing that it is not culpable negligence to store or leave a loaded firearm within the reach of a person under a specified age, which firearm is used to inflict injury or death, if the firearm was locked with a locking device; amending s. 790.174, F.S.; providing that a locking device may be used for the purpose of lawfully storing a firearm within access of a person under a specified age; amending s. 790.175, F.S.; requiring a licensed dealer to advise a potential buyer of a handgun of the availability of a locking device that renders the handgun inoperable; requiring that the dealer provide the potential buyer the opportunity to purchase a locking device at the time of the sale; providing an effective date.

By the Committee on Education Innovation; Representatives Wise and Feeney—

**CS/HB 1793**—A bill to be entitled An act relating to nonprofit private schools; amending s. 159.27, F.S.; redefining the term “educational

facility” to include property used for the operation of certain nonprofit private schools; providing requirements relating to financing; amending s. 623.13, F.S.; authorizing financing under the Florida Industrial Development Financing Act or by industrial development authorities; providing an effective date.

By the Committee on Education/K-12; Representative Warner—

**CS/HB 1797**—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; revising provisions relating to high school graduation credit requirements; providing for early graduation; amending s. 236.081, F.S., relating to funds for operation of schools; providing for calculation of full-time equivalent student membership for students who graduate early; providing an effective date.

By the Committee on Agriculture; Representatives Bronson, Harrington, Spratt, Smith, Minton, Mackey, Sembler, Laurent, Peaden, Dockery, Starks, K. Pruitt, Putnam, Eggelletion, Boyd, and Bradley—

**CS/HB 1847**—A bill to be entitled An act relating to agriculture; creating s. 570.191, F.S.; creating the Agricultural Emergency Eradication Trust Fund; prescribing its uses; defining what constitutes an “agricultural emergency”; providing an effective date.

By the Committee on Children & Family Empowerment; Representatives Lacasa and Murman—

**CS/HB 1849**—A bill to be entitled An act relating to public records; amending s. 409.175, F.S.; providing an exemption from public records requirements for specified personal information contained in licensing files concerning persons licensed to be family foster parents and their spouses, children, and other adult household members; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committees on Governmental Operations; Children & Family Empowerment; Representatives Murman and Lacasa—

**CS/CS/HB 1849**—A bill to be entitled An act relating to public records; amending s. 409.175, F.S.; providing an exemption from public records requirements for specified personal information contained in licensing files concerning persons licensed to be family foster parents and their spouses, children, and other adult household members; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committees on Health & Human Services Appropriations; Health Care Services; Representative Albright—

**CS/HB 1883**—A bill to be entitled An act relating to organ and tissue donation; amending ss. 320.08047, 322.08, and 381.6024, F.S.; authorizing the use of certain funds for maintaining the organ and tissue donor registry; revising annual assessments on certain organ procurement organizations, tissue banks, and eye banks; creating s. 381.60225, F.S.; establishing standards for organ donation, procurement, allocation, and transplantation; amending s. 732.911, F.S.; providing definitions; amending ss. 732.912 and 732.914, F.S.; clarifying who may make an anatomical gift in the absence of a declaration by a decedent; amending s. 732.913, F.S.; specifying that entities as well as persons may become donees of anatomical gifts; amending s. 732.915, F.S.; repealing an annual assessment on organ procurement organizations, tissue banks, and eye banks; amending s. 732.916, F.S.; revising procedures for amending or revoking an anatomical gift; amending s. 732.9216, F.S.; adding a cross reference; amending s. 732.922, F.S.; providing a limitation in civil or criminal liability for organ procurement organizations, eye banks, tissue banks, hospitals, and hospital administrators or their designees; providing additional duties for the hospital administrator or his designee; providing severability; providing effective dates.

By the Committee on Governmental Operations; Representative Ball—

**CS/HB 1887**—A bill to be entitled An act relating to confidentiality of records and meetings of the Florida Automobile Joint Underwriting

Association; amending s. 627.311, F.S.; providing exemptions from public records requirements for underwriting files, open claim files, audit records for a specified time, matters reasonably encompassed in privileged attorney-client communications, licensed proprietary information made confidential by contract, certain employee medical records and employee assistance programs records, certain negotiation information for a specified time, minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding claims files for a specified time; providing requirements regarding sharing of confidential records; providing an exemption from public meetings requirements for meetings during which underwriting files or open claims files are discussed; providing requirements regarding such closed meetings and records thereof; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committees on Governmental Operations; Real Property & Probate; Representative Crow—

**CS/HB 1903**—A bill to be entitled An act relating to records of the Division of Florida Land Sales, Condominiums, and Mobile Homes; amending s. 498.047, F.S.; providing an exemption from public records requirements for information relative to an investigation by the division under the Florida Uniform Land Sales Practices Law for a specified period; providing for continued exemption for certain information relative to such investigation under certain conditions; authorizing certain disclosure of such information; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committees on Governmental Operations; Health Care Services; Representatives Albright and Lippman—

**CS/HB 1929**—A bill to be entitled An act relating to protection of children; amending s. 20.19, F.S.; deleting reference to child protection and sexual abuse treatment teams from responsibilities of the Children and Families Program Office of the Department of Children and Family Services; transferring all powers and duties relating to child abuse prevention services, the child protection teams, and the sexual abuse treatment program to the Department of Health; providing the Department of Health with certain authority with respect to transferred positions; amending s. 20.43, F.S.; providing responsibility of the Department of Health to provide child abuse prevention services and services to abused and neglected children through the teams and program; providing qualifications and requirements for the Director of Children's Medical Services of the Department of Health; amending ss. 39.4031, 39.4032, and 39.408, F.S., relating to children and family case plan requirements and case staffing, and hearings for dependency cases; providing for coordination with the child protection teams of the Department of Health; amending ss. 119.07, 415.50175, and 415.51, F.S.; providing confidentiality under existing public records exemptions for records of child protection teams and personnel thereof; amending ss. 415.50171, 415.5018, 415.503, 415.5055, and 415.5095, F.S.; clarifying respective responsibilities of the Department of Health and the Department of Children and Family Services, relating to child abuse and neglect cases, policy, and procedures, to child protection teams, and to child sexual abuse cases, pursuant to the transfer of responsibilities under the act; providing duties of the Division of Children's Medical Services; amending s. 415.501, F.S.; revising participants in the state plan for prevention of child abuse and neglect; repealing s. 415.5075, F.S., relating to rulemaking; providing an effective date.

By the Committees on Family Law & Children; Children & Family Empowerment; Representatives Lynn, Brennan, and Brown—

**CS/HB 1985**—A bill to be entitled An act relating to human rights; amending s. 402.165, F.S.; redesignating the Statewide Human Rights Advocacy Committee as the Statewide Human Rights Advocacy Council; revising membership of the statewide council; increasing the term of appointment to the statewide council; amending s. 402.166, F.S.; redesignating the district human rights advocacy committees as the local human rights advocacy councils; providing for additional local councils to be established; increasing the term of appointment to a local council; providing for appointing a vice chairperson to each local council;

providing for local councils to monitor the activities of, and investigate complaints against, the Department of Children and Family Services; amending s. 402.167, F.S.; revising provisions to reflect the redesignation of the human rights advocacy committees as human rights advocacy councils; amending ss. 393.13, 394.459, 394.4595, 394.4597, 394.4598, 394.4599, 394.4615, 400.0067, 400.0089, 400.419, 400.428, 415.1034, 415.104, 415.1055, 415.106, 415.107, 415.501, 415.505, and 415.51, F.S.; conforming terminology to changes made by the act; providing an effective date.

By the Committees on Governmental Operations; Law Enforcement & Public Safety; Representative Futch—

**CS/HB 2037**—A bill to be entitled An act relating to determination of residency for regulatory purposes; amending s. 322.051, F.S., relating to identification cards; requiring that an applicant for an identification card provide specified proof of residency; requiring a statement on the card as to whether the applicant is a Florida resident; providing rule adoption authority; amending s. 322.08, F.S.; requiring that an applicant for a driver's license provide specified proof of residency; requiring a statement on the license as to whether the applicant is a Florida resident; providing rule adoption authority; amending s. 790.065, F.S.; prohibiting a licensed importer, licensed manufacturer, or licensed dealer from selling or delivering a firearm without having determined that the potential buyer or transferee is a resident of this state, under certain circumstances; providing an effective date.

By the Committee on Election Reform; Representatives Carlton, Fasano, and Feeney—

**CS/HB 3001**—A bill to be entitled An act relating to restrictions on individuals qualifying for public office; amending s. 99.012, F.S.; requiring a subordinate officer, deputy sheriff, or police officer, upon qualifying for public office, to take a leave of absence without pay during the period in which such person is a candidate for office, whether or not the person is required by law to resign; providing an effective date.

By the Committee on Juvenile Justice; Representatives Fasano, Bainter, and Feeney—

**CS/HB 3007**—A bill to be entitled An act relating to alcohol and other substance abuse testing of a delinquent child; amending s. 985.231, F.S., relating to powers of disposition in delinquency cases; providing that the court may order a delinquent child placed in an community control or aftercare program to submit to random testing for alcohol or controlled substances; providing that the order may be made at the disposition, or pursuant to the filing of a petition alleging violation of the conditions of the child's community control or aftercare supervision; reenacting s. 985.31(3)(e), F.S., relating to serious or habitual offenders, and s. 985.311(3)(e), F.S., relating to intensive residential treatment program for offenders less than 13 years of age, to incorporate said amendment in references; providing an effective date.

By the Committee on Crime & Punishment; Representatives Stafford, Heyman, Lacasa, and Sanderson—

**CS/HB 3033**—A bill to be entitled An act relating to execution of the death sentence; creating s. 922.105, F.S.; providing for execution of the death sentence by means of lethal injection if electrocution is declared invalid by any one of specified courts, unless overruled; providing that a person authorized by state law to prescribe medication, when designated by the Department of Corrections, may prescribe the drugs necessary to compound a lethal injection; providing that a person authorized by state law to prepare, compound, or dispense medication, when designated by the Department of Corrections, may prepare, compound, or dispense the lethal injection; providing that the prescription, preparation, compounding, dispensing, or administration of a lethal injection does not constitute practicing medicine, nursing, or pharmacy; providing for execution of the death sentence by other means not declared unconstitutional by the United States Supreme Court, if lethal injection is declared invalid; providing for determination and supervision of execution procedure by the Secretary of Corrections or the secretary's designee, under specified circumstances when execution by

means of electrocution or lethal injection has been declared invalid; providing an exemption from ch. 120, F.S., for the policies and procedures of the Department of Corrections for execution; prohibiting reduction of a sentence of death as the result of a method of execution being declared invalid; providing an effective date.

By the Committee on Crime & Punishment; Representatives Stafford, Heyman, and Sanderson—

**CS/HB 3053**—A bill to be entitled An act relating to public records; providing exemptions from public records requirements for information identifying the person administering the lethal injection during execution of the death sentence; providing for future review and repeal; providing a finding of public necessity; amending s. 945.10, F.S., relating to confidential information of the Department of Corrections, to conform; providing a contingent effective date.

By the Committee on Governmental Operations; Representatives Minton, Fasano, and Kelly—

**CS/HB 3061**—A bill to be entitled An act relating to airports; amending s. 330.30, F.S.; exempting certain airports used exclusively for aerial application or spraying of crops on a seasonal basis from a provision of law providing for the approval of airport sites and the licensing of airports; providing an effective date.

By the Committee on Governmental Operations; Representatives Kelly, Sindler, Heyman, Fasano, Posey, and Minton—

**CS/HB 3065**—A bill to be entitled An act relating to building, bridge, and overpass designations; designating the Florida Department of Transportation District Five headquarters building located in Volusia County as the “Ben G. Watts Building”; designating a specified bridge in Pasco County as the “Father Felix Ullrich Bridge”; designating Fiske Boulevard overpass at Interstate Highway 95 in Rockledge as the “Jack I. Korenblit Overpass”; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committee on Law Enforcement & Public Safety; Representatives K. Pruitt, Futch, Thrasher, Starks, Feeney, Crist, Ritchie, Fasano, and Diaz de la Portilla—

**CS/HB 3075**—A bill to be entitled An act relating to municipal firefighters’ pension trust funds and municipal police officers’ retirement trust funds; amending and revising the provisions of chapters 175 and 185, F.S.; defining “chapter plans,” “local law plans,” and “supplemental plan municipality”; redefining “compensation” or “salary” for retirement purposes under these chapters; clarifying the applicability of minimum benefits for both chapter and local law plans; revising investment provisions to permit cities greater investment latitude to make foreign investments; eliminating discriminatory language in conformance with state and federal discrimination provisions; providing that certain benefits provided are a minimum and may not be diminished by any other state, local, or federal benefits; providing an exception; modifying the formula for calculating volunteer firefighter service retirement benefits; clarifying terminology relating to “sole and exclusive use of” premium tax funds and “extra benefits” by providing that moneys must be placed in a police-only or firefighter-only plan or a combined police and firefighter plan as opposed to placing moneys in any type of plan that includes general employees; providing for establishment of a new board and for transfer of assets in certain cases; creating s. 175.195, F.S.; prohibiting certain fraudulent practices; providing criminal and administrative penalties; repealing s. 175.152, F.S., relating to contributions; repealing s. 175.251, F.S., relating to employment records that are required to be kept by the secretary of the board of trustees; repealing s. 175.291, F.S., relating to the requirement that the attorney for the municipality or special fire control district represent the board of trustees upon request and the option to employ independent counsel and other persons; repealing s. 175.321, F.S., relating to the application of certain provisions to municipalities and fire control districts; repealing s. 175.331, F.S., relating to the rights of firefighters under former law; repealing s. 175.391, F.S., relating to payment of attorney’s fees and costs; repealing s. 185.14, F.S., relating

to contributions; repealing s. 185.15, F.S., relating to contributions and new employees; creating s. 185.185, F.S.; prohibiting certain fraudulent practices; providing criminal and administrative penalties; repealing s. 185.27, F.S., relating to the roster of retirees; repealing s. 185.29, F.S., relating to the city attorney representing the board of trustees; repealing s. 185.32, F.S., relating to exemptions from the chapter; repealing s. 185.36, F.S., relating to the rights of police officers under former laws; repealing s. 185.40, F.S., relating to costs and attorney’s fees; providing an effective date.

By the Committee on Elder Affairs & Long Term Care; Representatives Brooks, Diaz de la Portilla, Littlefield, Jacobs, Fasano, Feeney, Constantine, Byrd, Culp, and Argenziano—

**CS/HBs 3089 & 171**—A bill to be entitled An act relating to nursing facilities; amending s. 400.121, F.S.; providing procedure for administrative hearings on certain actions to deny, suspend, or revoke a nursing facility’s license; creating s. 400.215, F.S.; requiring background screening for certain nursing facility employees; providing requirements for employers and employees; authorizing conditional status for certain employees; requiring the Agency for Health Care Administration to establish and maintain a database and provide certain information; providing for screening fees; providing for exemptions from disqualification; providing an exemption from rescreening for certain persons; providing for certain sharing of screening information among employers; providing for adoption of rules; specifying dates and conditions for compliance by employees and new applicants; repealing s. 400.211(5), F.S., relating to screening requirements for certified nursing assistants; providing an effective date.

By the Committee on Crime & Punishment; Representatives Fasano, Euffman, and Feeney—

**CS/HB 3107**—A bill to be entitled An act relating to sexual predator registration; amending s. 775.21, F.S.; revising an exception to sexual predator registration requirements; revising the conditions for removal of sexual predator designation by the court; requiring filing of the petition for removal in the circuit of the sexual predator’s residence; extending from 10 years to 20 years the minimum period following the sexual predator’s release during which the predator may not have been arrested before petitioning the court to remove the sexual predator designation; requiring the petitioner to make certain demonstrations to the court with respect to lack of arrest and compliance with federal standards for removal of designation as a predator; permitting the removal of designation only when the court is satisfied the petitioner is not a threat to the public safety; requiring specified notice of hearing on the petition to the state attorney in the circuit where filed; allowing the state attorney to present evidence in opposition to the petition; allowing the court to establish date for rehearing of petition, if denied; providing an effective date.

By the Committee on Governmental Operations; Representatives Feeney, Fasano, D. Prewitt, Heyman, Boyd, Crow, Turnbull, Maygarden, Livingston, Ball, Ziebarth, Murman, and Spratt—

**CS/HB 3131**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; revising criteria, limitations, and restrictions for eligibility, participation, and benefits payable under the Deferred Retirement Option Program; providing an effective date.

By the Committee on Health Care Services; Representatives Heyman, Bloom, D. Prewitt, Morrone, Roberts-Burke, Bush, Ritter, Lynn, Brown, Jacobs, Dawson-White, Fischer, Miller, Ogles, Kosmas, Arnall, Casey, Diaz de la Portilla, and Rodriguez-Chomat—

**CS/HB 3145**—A bill to be entitled An act relating to health care; creating s. 381.0045, F.S.; creating the “Targeted Outreach for Pregnant Women Act of 1998”; providing purpose; requiring the Department of Health to establish a pilot program; providing requirements; requiring interim and final reports; providing an appropriation; providing an effective date.

By the Committee on Community Affairs; Representative Heyman—

**CS/HB 3147**—A bill to be entitled An act relating to blind services; amending s. 413.08, F.S.; prohibiting a person from interfering with a person who is engaged in training a dog guide or service dog; providing penalties; amending s. 413.011, F.S.; revising provisions relating to the Advisory Council for the Blind within the Department of Labor and Employment Security; providing definitions; providing composition of the council; providing for appointment of members; providing for terms; providing functions of the council; requiring the preparation of a resource plan; providing for staff; providing for meetings of the council; authorizing the council to conduct forums and hearings; providing for open meetings; providing an effective date.

By the Committee on Governmental Operations; Representative Mackenzie—

**CS/HB 3161**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.532, F.S.; providing requirements with respect to recordings made during the formal interrogation of a law enforcement or correctional officer; amending s. 112.533, F.S.; providing for rights of law enforcement and correctional officers to review their personnel files, attach a response, and receive a copy of certain materials in the file; providing for application to the release of certain information; amending s. 943.135, F.S.; permitting law enforcement officers who are elected or appointed public officials to maintain certification in a special status while holding office; providing an effective date.

By the Committee on Finance & Taxation; Representatives Starks, Feeney, Constantine, Trovillion, Ogles, Casey, Morroni, Bainter, Arnall, Barreiro, Sublette, K. Pruitt, Stabins, Morse, Bitner, Gay, Reddick, Merchant, and Ball—

**CS/HB 3171**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the application of the exemption for labor charges for the maintenance and repair of certain aircraft; providing an exemption for replacement engines, parts, and equipment used in the repair or maintenance of certain aircraft; providing an exemption for the sale or lease of certain aircraft for use by a common carrier; providing an effective date.

By the Committee on Utilities & Communications; Representatives Thrasher, Logan, Wasserman Schultz, and Feeney—

**CS/HB 3185**—A bill to be entitled An act relating to the Public Service Commission; amending s. 367.081, F.S.; limiting the commission's consideration of contributions-in-aid-of-construction under certain circumstances; providing construction; requiring the commission to approve rates for certain services under certain circumstances; providing construction; providing an effective date.

By the Committee on Business Regulation & Consumer Affairs; Representatives Dockery and Putnam—

**CS/HB 3199**—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising a definition; amending s. 538.04, F.S.; exempting secondhand dealers from certain recordkeeping requirements for transactions involving secondhand sports equipment; providing an exception; providing an effective date.

By the Committee on Real Property & Probate; Representative Dockery—

**CS/HB 3223**—A bill to be entitled An act relating to land platting; amending s. 177.031, F.S.; defining terms relating to platting; amending s. 177.041, F.S.; requiring plats and replats of subdivisions submitted for approval to be accompanied by a boundary survey of the platted lands; amending s. 177.051, F.S.; revising provisions relating to naming and replatting subdivisions; amending s. 177.061, F.S.; providing requirements for the recording of a plat; amending s. 177.071, F.S.; revising provisions relating to approval of plats by governing bodies; amending s. 177.081, F.S.; requiring plats to be reviewed by a professional surveyor and mapper before approval by a governing body;

amending s. 177.091, F.S.; providing requirements for monuments and revising other requirements of plats made for recording; amending s. 177.101, F.S.; providing for the vacation and annulment of prior plats; amending s. 177.141, F.S.; revising provisions relating to affidavits confirming errors on recorded plats; amending s. 177.151, F.S.; revising provisions relating to state plane coordinates; amending ss. 177.021, 177.121, 177.131, 177.132, 177.27, 177.38, F.S.; conforming references; providing an effective date.

By the Committee on Family Law & Children; Representatives Wise, Lynn, Chestnut, and Harrington—

**CS/HB 3227**—A bill to be entitled An act relating to substance abuse services; amending s. 397.311, F.S.; redefining the term "qualified professional" for purposes of providing certain substance abuse assessment or treatment services; requiring persons certified to provide such services in other states to meet Florida's certification requirements within a specified period after employment in this state; providing a grandfather clause for a specified period for persons with certain qualifications and experience; providing that certain certified professionals are exempt from meeting the additional statutory requirements for a qualified professional; providing an effective date.

By the Committee on Environmental Protection; Representatives Thrasher, Sembler, Feeney, Minton, Arnall, Stabins, Ogles, Wiles, Bitner, Byrd, Murman, Peaden, Fuller, Putnam, Spratt, Smith, Fasano, Eggelletion, Gay, Crady, Flanagan, King, Ritchie, Constantine, Goode, Futch, and Heyman—

**CS/HB 3229**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.051, F.S.; providing an exemption for certain facilities, equipment, and machinery used for pollution control or abatement, and for structures or equipment associated with replacement thereof; requiring compliance with permitted conditions of the Department of Environmental Protection; providing an effective date.

By the Committee on Crime & Punishment; Representatives Sindler, Casey, Feeney, Murman, Betancourt, Fischer, Merchant, Saunders, Rojas, Melvin, Safley, Littlefield, Wise, Heyman, and Fasano—

**CS/HB 3257**—A bill to be entitled An act relating to liabilities for driving offenses; amending s. 316.066, F.S., relating to written reports of accidents; removing provisions under which an accident report or statements to a law enforcement officer made by a person involved in an accident are without prejudice to the person and may not be used as trial evidence absent exceptional circumstances; abrogating the accident report privilege; providing for lack of privilege, nonconfidentiality, and use as evidence in any trial of administrative hearing of certain reports or statements with respect to accidents resulting in personal injury or death or property damage; providing that results of breath, urine, and blood tests, made for certain purposes of determining whether a person has been driving under the influence of alcohol or a chemical substance or controlled substance, are not privileged; prohibiting use for commercial solicitation purposes of an accident report made by persons involved in a crash; providing for construction; amending s. 316.193, F.S., relating to the offense of driving under the influence and penalties; providing third degree felony penalties for a third or subsequent conviction for driving under the influence; conforming provisions with respect to fine amounts and prison terms; removing surplusage to improve clarity and facilitate correct interpretation; providing that a person commits the offense of driving under the influence by driving or being in physical control of a vehicle when any amount of a harmful chemical substance specified under s. 877.111, F.S., or a controlled substance, is present in the person's blood or urine, regardless of the presence of alcohol in the person's breath or blood; providing a defense; providing penalties; reenacting s. 318.143(1), (4), and (5), F.S., relating to sanctions for infractions by minors, s. 318.17(3) and (8), F.S., relating to excepted offenses, s. 322.03(2), F.S., relating to driver's license requirement and penalties for violation of requirement, s. 322.0602(2)(a), F.S., relating to Youthful Drunk Driver Visitation Program, s. 322.12(2), F.S., relating to examination of driver's license applicants, s. 322.25(5), F.S., relating to forwarding of surrendered

licenses and reporting of certain convictions, s. 322.2615(1), (2), (7), (8)(b), (10)(b), and (14), F.S., relating to suspension of license and right to review, s. 322.2616(1)(a), (15), and (18), F.S., relating to suspension of license of person under 21 years of age and right to review, s. 322.264(1)(b), F.S., relating to definition of "habitual traffic offender," s. 322.271(2)(a) and (c) and (4), F.S., relating to authority to modify revocation, cancellation, or suspension order, s. 322.282(2)(a), F.S., relating to procedure when court revokes or suspends license or driving privilege and orders reinstatement, s. 322.291, F.S., relating to driver improvement school course requirements for certain violators, s. 322.44, F.S., relating to Driver License Compact, s. 322.62(3), F.S., relating to driving-under-the-influence violations by commercial motor vehicle operators, s. 322.63(2)(d) and (6), F.S., relating to alcohol or drug testing of commercial motor vehicle operators, s. 322.64(1), (2), (7)(a), (8)(b), (14), and (15), F.S., relating to driving with unlawful blood-alcohol level and refusal to submit to breath, urine, or blood test by holder of commercial driver's license, s. 327.35(6), F.S., relating to boating-under-the-influence offenses and penalties, s. 397.405(10), F.S., relating to certain licensure exemptions, s. 440.09(7)(b), F.S., relating to worker's compensation coverage, s. 493.6101(1)(d), F.S., relating to certain license requirements, s. 627.758(4), F.S., relating to conditions and limit for surety on auto club traffic arrest bond and bail bond; s. 790.06(2)(f) and (10)(f), F.S., relating to license to carry concealed weapon or firearm, s. 903.36(2), F.S., relating to guaranteed arrest bond certificates as cash bail, s. 921.0022(3), (g), (h), and (i), F.S., relating to the Criminal Punishment Code offense severity ranking chart, s. 938.07, F.S., relating to court costs for the offense of driving under the influence, s. 938.21, F.S., relating to alcohol and drug abuse programs, s. 938.23(1), F.S., relating to assistance grants for alcohol and other drug abuse programs, and s. 960.03(3)(b), F.S., relating to certain definitions with respect to crimes compensation, to incorporate said amendment in references; amending s. 921.0022, F.S.; conforming provisions in the Criminal Punishment Code offense severity ranking chart; providing an effective date.

By the Committee on Law Enforcement & Public Safety; Representatives Ziebarth, Heyman, and Wiles—

**CS/HB 3265**—A bill to be entitled An act relating to boater safety; creating s. 327.35215, F.S.; providing penalties for failure to submit to a breath test or urine test; creating s. 327.35216, F.S.; providing for the suspension of the privilege to operate a vessel for persons who are under 21 years of age under certain circumstances; amending s. 327.395, F.S.; revising language with respect to boater safety identification cards issued by the Department of Environmental Protection; providing an effective date.

By the Committee on Community Affairs; Representative Gay—

**CS/HB 3269**—A bill to be entitled An act relating to special districts; amending s. 189.4042, F.S.; specifying procedures for merger or dissolution of independent special districts created by a county or municipality; amending s. 189.405, F.S.; revising the amount of the filing fee and the number of required signatures on petitions in provisions which specify how candidates for the governing board of certain single-county and multicounty special districts shall qualify; amending s. 189.429, F.S., and s. 15, ch. 97-256, Laws of Florida, which require special districts, including fire control districts, to submit draft codified charters to the Legislature; revising the deadline and requirements for such codification; providing that the Legislature may adopt a schedule for codification; amending s. 215.425, F.S.; authorizing extra compensation for special district employees pursuant to resolution; amending s. 191.006, F.S., relating to powers of independent special fire control districts, to conform; providing effective dates.

By the Committee on Community Affairs; Representative Gay—

**CS/HB 3287**—A bill to be entitled An act relating to affordable housing; amending s. 420.0005, F.S.; clarifying application of certain provisions to the State Housing Fund; amending s. 420.0006, F.S.; specifying an additional requirement for contracts with the Florida Housing Finance Corporation; providing duties of the Comptroller relating to certain advances to the corporation; amending s. 420.503,

F.S.; clarifying application to the corporation's fiscal year; amending s. 420.504, F.S.; providing for alternative public notice; providing the corporation is an instrumentality of the state; deleting a definition; amending s. 420.5061, F.S.; declaring the corporation a state agency for certain purposes; amending s. 420.507, F.S.; including services within certain procurement requirement provisions; authorizing the corporation to mortgage certain property; deleting a budget limitation on certain programs; providing additional powers of the corporation; amending s. 420.5087, F.S.; clarifying application of the state fiscal year; amending s. 420.5088, F.S.; expanding availability of certain program funds; amending s. 420.5089, F.S.; deleting a requirement for certain program fund loan commitments under certain circumstances; amending s. 420.509, F.S.; clarifying application of provisions for public sale of corporation bonds; amending s. 420.511, F.S.; revising requirements for the corporation's business plan for affordable housing; amending s. 420.512, F.S.; limiting application of a term for certain purposes; amending s. 420.528, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.9071, F.S.; correcting a cross reference; clarifying application to the corporation's fiscal year; amending ss. 420.9073 and 420.9079, F.S.; clarifying application to the state fiscal year; repealing s. 420.504(8), F.S., relating to certain liability of members of the board of directors of the corporation; providing an effective date.

By the Committee on Health Care Standards & Regulatory Reform; Representative Saunders—

**CS/HB 3311**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information contained in a notification of an adverse incident provided to the Agency for Health Care Administration by a facility licensed under ch. 395, F.S.; providing that such information is not discoverable or admissible in a civil action or administrative proceeding unless such action or proceeding is a disciplinary proceeding conducted by the agency or a regulatory board; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

By the Committee on Crime & Punishment; Representatives Stafford and Effman—

**CS/HB 3357**—A bill to be entitled An act relating to motor vehicle airbags; providing a short title; providing definitions; providing requirements on sales, replacement, or installation of airbags; prohibiting certain activities; providing penalties; providing an effective date.

By the Committee on Crime & Punishment; Representatives Bronson, Sembler, Spratt, Bainter, Mackey, and Fasano—

**CS/HB 3367**—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.29, F.S.; providing for the judicial nominating commission of a judicial circuit to include among its members and electors at least one resident from each county within the judicial circuit; providing an effective date.

## Reports of Councils and Standing Committees

### Council Reports

*The Honorable Daniel Webster*  
*Speaker, House of Representatives*

March 3, 1998

*Dear Sir:*

The following report of council action is respectfully submitted as adopted on March 3, 1998, of the Academic Excellence Council.

A motion was adopted to remove HB 367 from the Consent Calendar.

A quorum of the Council was present and a majority of those present agreed to the above report.

Respectfully submitted,  
*Stephen R. Wise, Chair*

*The Honorable Daniel Webster*  
*Speaker, House of Representatives*

March 3, 1998 HB 1761 (unanimous)

Dear Sir:

The following report of council actions is respectfully submitted as the Calendar, adopted on March 3, 1998, of the Economic Impact Council.

Prior to consideration of the proposed ranking, motions were made to remove CS/CS/HB 315, HB 795, CS/HB 831, HB 1447, and HB 1731 from the Pending Consent Calendar.

Referred

- CS/HB 831—Network Access Rate Reduction  
(To the Committee on Utilities and Communications)
- CS/HB 1377—Motor Vehicle Emissions Inspections  
(To the Committee on Transportation)
- HB 1447—Veterinary Medical Practice  
(To the Committee on Business Regulation and Consumer Affairs)
- HB 1731—Fictitious Names/Prohibited Use  
(To the Committee on Financial Services)

Rank

1. CS/HB 747—Sales Taxes/Chamber of Commerce
2. CS/HB 3185—Public Service Commission
3. CS/HB 1311—Annuity Contracts/Assessment Rates
4. HB 795—Florida Title Loan Act
5. CS/CS/HB 315—Sales Tax/Food & Drinks
6. HB 3597—Family Day Care Homes/Insurance

A quorum of the Council was present and a majority of those present agreed to the above report.

Respectfully submitted,  
*David I. Bitner*  
*Chair*

*The Honorable Daniel Webster*  
*Speaker, House of Representatives*

March 3, 1998

Dear Sir:

The following report of council actions is respectfully submitted as the Calendar, as adopted on March 3, 1998, of the Justice Council.

Prior to consideration of the proposed ranking, a motion was adopted to remove HB 641, HB 909, HB 1151, HB 1269, and CS/HB 1565 from the Consent Calendar.

Rank:

1. HB 909—Concealed Weapons/Nonresidents
2. HB 1269—Vehicular Homicide/Unborn Child
3. HB 641—Motorcycle Riders/Safety Equipment

Referred:

- HB 1151—Criminal & Juvenile Justice Info.  
(To the Committee on Law Enforcement & Public Safety)
- CS/HB 1565—Timeshare Plan  
(To the Committee on Real Property & Probate)
- CS/HB 1163—Tenants/Repair to Rental Property  
(To the Committee on Real Property & Probate)

A quorum of the Council was present and a majority of those present agreed to the above report.

Respectfully submitted,  
*Representative Victor D. Crist, Chair*

**Committee Reports**

**Received September 26:**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends a committee substitute for the following:

**The above committee substitute was referred to the Committee on Crime & Punishment (Justice Council), and, under the rule, HB 1761 was laid on the table.**

**Received September 30:**

The Committee on Governmental Rules & Regulations (Governmental Responsibility Council) recommends a committee substitute for the following:

CS/HB 1241 (unanimous)

**The above committee substitute was referred to the Committee on Health & Human Services Appropriations, and, under the rule, CS/HB 1241 was laid on the table.**

The Committee on Governmental Rules & Regulations (Governmental Responsibility Council) recommends committee substitutes for the following:

HB 667  
CS/HB 759

**The above committee substitutes were referred to the Committee on Finance & Taxation, and, under the rule, HB 667 and CS/HB 759 were laid on the table.**

**Received October 2:**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:

CS/HB 757 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, CS/HB 757 was laid on the table.**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 1433 (unanimous)

**The above committee substitute was referred to the Committee on Health & Human Services Appropriations, and, under the rule, HB 1433 was laid on the table.**

**Received October 14:**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends a committee substitute for the following:

CS/HB 1639 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, CS/HB 1639 was laid on the table.**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends a committee substitute for the following:

CS/HB 679 (unanimous)

**The above committee substitute was referred to the Committee on Transportation & Economic Development Appropriations, and, under the rule, CS/HB 679 was laid on the table.**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends a committee substitute for the following:

HB 1137 (unanimous)

**The above committee substitute was referred to the Committee on Health Care Standards & Regulatory Reform (Government Services Council), and, under the rule, HB 1137 was laid on the table.**

**Received October 20:**

The Committee on Crime & Punishment (Justice Council) recommends the following pass:  
HM 3003 (unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends a committee substitute for the following:  
CS/HB 1637 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, CS/HB 1637 was laid on the table.**

**Received October 22:**

The Committee on Crime & Punishment (Justice Council) recommends a committee substitute for the following:  
HB 1259 (unanimous)

**The above committee substitute was referred to the Committee on Criminal Justice Appropriations, and, under the rule, HB 1259 was laid on the table.**

**Received October 24:**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends a committee substitute for the following:  
CS/HB 737 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, CS/HB 737 was laid on the table.**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:  
CS/HB 447 (unanimous)

**The above committee substitute was referred to the Committee on Finance & Taxation, and, under the rule, CS/HB 447 was laid on the table.**

**Received October 29:**

The Committee on Education/K-12 (Academic Excellence Council) recommends a committee substitute for the following:  
HB 1797

**The above committee substitute was referred to the Committee on Education Appropriations, and, under the rule, HB 1797 was laid on the table.**

**Received November 4:**

The Committee on Community Affairs (Governmental Responsibility Council) recommends the following pass:  
HB 613, with 3 amendments (unanimous)

**The above bill was referred to the Committee on Finance & Taxation.**

The Committee on Election Reform (Governmental Responsibility Council) recommends the following not pass:  
HB 1537

**The above bill was laid on the table under the rule.**

**Received November 6:**

The Committee on Agriculture (Governmental Responsibility Council) recommends the following not pass:  
HB 1209

**The above bill was laid on the table under the rule.**

**Received November 10:**

The Committee on Community Affairs (Governmental Responsibility Council) recommends a committee substitute for the following:  
HB 729 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 729 was laid on the table.**

**Received November 17:**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends committee substitutes for the following:

HB 3061 (unanimous)

HB 3065 (unanimous)

**The above committee substitutes were placed on the appropriate Calendar or Council list, and, under the rule, HBs 3061 and 3065 were laid on the table.**

The Committee on Juvenile Justice (Justice Council) recommends a committee substitute for the following:  
HB 3007 (unanimous)

**The above committee substitute was referred to the Committee on Criminal Justice Appropriations, and, under the rule, HB 3007 was laid on the table.**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 1887 (unanimous)

**The above committee substitute was referred to the Committee on Financial Services (Economic Impact Council), and, under the rule, HB 1887 was laid on the table.**

**Received November 26:**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 1903 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 1903 was laid on the table.**

**Received December 3:**

The Committee on Crime & Punishment (Justice Council) recommends the following not pass:  
CS/HB 1761

**The above bill was laid on the table under the rule.**

**Received December 4:**

The Committee on Community Affairs (Governmental Responsibility Council) recommends the following pass:

HB 1095, with 1 amendment (unanimous)

HB 1605, with 3 amendments (unanimous)

**The above bills were referred to the Committee on Finance & Taxation.**

**Received December 8:**

The Committee on Water & Resource Management (Governmental Responsibility Council) recommends the following not pass:  
CS/HB 575

**The above bill was laid on the table under the rule.**

**Received December 9:**

The Committee on Agriculture (Governmental Responsibility Council) recommends a committee substitute for the following:  
 HB 489 (unanimous)

**The above committee substitute was referred to the Committee on Community Affairs (Governmental Responsibility Council), and, under the rule, HB 489 was laid on the table.**

**Received December 10:**

The Committee on Agriculture (Governmental Responsibility Council) recommends a committee substitute for the following:  
 HB 1847 (unanimous)

**The above committee substitute was referred to the Committee on Finance & Taxation, and, under the rule, HB 1847 was laid on the table.**

**Received December 11:**

The Committee on Financial Services (Economic Impact Council) recommends the following pass:  
 HB 1731 (unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Financial Services (Economic Impact Council) recommends a committee substitute for the following:  
 HB 1311

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 1311 was laid on the table.**

**Received January 8:**

The Committee on Finance & Taxation recommends a committee substitute for the following:  
 HB 3171 (fiscal note attached, unanimous)

**The above committee substitute was referred to the Committee on Transportation & Economic Development Appropriations, and, under the rule, HB 3171 was laid on the table.**

The Committee on Community Affairs (Governmental Responsibility Council) recommends the following pass:  
 CS/HB 489 (unanimous)  
 HB 3113 (unanimous)

**The above bills were referred to the Committee on Finance & Taxation.**

The Committee on Business Regulation & Consumer Affairs (Economic Impact Council) recommends a committee substitute for the following:  
 HB 885 (unanimous)

**The above committee substitute was referred to the Committee on Finance & Taxation, and, under the rule, HB 885 was laid on the table.**

**Received January 9:**

The Committee on Civil Justice & Claims (Justice Council) recommends the following pass:  
 HB 1749, with 1 amendment (unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Financial Services (Economic Impact Council) recommends the following pass:

HB 3239, with 1 amendment (unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Finance & Taxation recommends committee substitutes for the following:  
 HB 823 (fiscal note attached, unanimous)  
 HB 1373 (fiscal note attached, unanimous)

**The above committee substitutes were placed on the appropriate Calendar or Council list, and, under the rule, HBs 823 and 1373 were laid on the table.**

The Committee on Crime & Punishment (Justice Council) recommends the following pass:  
 HB 3139 (unanimous)

**The above bill was referred to the Committee on Criminal Justice Appropriations.**

The Committee on Finance & Taxation recommends a committee substitute for the following:  
 CS/HB 1503 (fiscal note attached, unanimous)

**The above committee substitute was referred to the Committee on Education Appropriations, and, under the rule, CS/HB 1503 was laid on the table.**

The Committee on Finance & Taxation recommends a committee substitute for the following:  
 CS/HB 1407 (fiscal note attached)

**The above committee substitute was referred to the Committee on General Government Appropriations, and, under the rule, CS/HB 1407 was laid on the table.**

The Committee on Crime & Punishment (Justice Council) recommends the following pass:  
 HB 3147 (unanimous)

**The above bill was referred to the Committee on Community Affairs (Governmental Responsibility Council).**

The Committee on Real Property & Probate (Justice Council) recommends the following pass:  
 HJR 3151

**The above bill was referred to the Committee on Finance & Taxation.**

The Committee on Real Property & Probate (Justice Council) recommends the following pass:  
 HJR 3071, with 1 amendment

**The above bill was referred to the Committee on Governmental Operations (Governmental Responsibility Council).**

**Received January 13:**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends the following pass:  
 HB 3161, with 1 amendment (unanimous)

**The above bill was referred to the Committee on Governmental Operations (Governmental Responsibility Council).**

**Received January 15:**

The Committee on Health & Human Services Appropriations recommends the following pass:  
 CS/HB 1433 (fiscal note attached, unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Education Innovation (Academic Excellence Council) recommends a committee substitute for the following:

HB 1793 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 1793 was laid on the table.**

The Committee on Elder Affairs & Long Term Care (Government Services Council) recommends a committee substitute for the following:

CS/HB 547 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, CS/HB 547 was laid on the table.**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 3131 (unanimous)

**The above committee substitute was referred to the Committee on General Government Appropriations, and, under the rule, HB 3131 was laid on the table.**

**Received January 20:**

The Committee on Children & Family Empowerment (Government Services Council) recommends a committee substitute for the following:

HB 1849 (unanimous)

**The above committee substitute was referred to the Committee on Governmental Operations (Governmental Responsibility Council), and, under the rule, HB 1849 was laid on the table.**

The Committee on Health & Human Services Appropriations recommends a committee substitute for the following:

CS/HB 349 (fiscal note attached, unanimous)

**The above committee substitute was referred to the Committee on Health Care Standards & Regulatory Reform (Government Services Council), and, under the rule, CS/HB 349 was laid on the table.**

**Received January 21:**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 2037 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 2037 was laid on the table.**

**Received January 27:**

The Committee on Community Affairs (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 3269 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3269 was laid on the table.**

The Committee on Health Care Standards & Regulatory Reform (Government Services Council) recommends a committee substitute for the following:

CS/HB 1137 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, CS/HB 1137 was laid on the table.**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 1929 (unanimous)

**The above committee substitute was referred to the Committee on Health & Human Services Appropriations, and, under the rule, HB 1929 was laid on the table.**

**Received February 2:**

The Committee on Utilities & Communications (Economic Impact Council) recommends a committee substitute for the following:

HB 3185

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3185 was laid on the table.**

**Received February 4:**

The Committee on Crime & Punishment (Justice Council) recommends a committee substitute for the following:

HB 1727 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 1727 was laid on the table.**

The Committee on Community Colleges & Career Prep (Academic Excellence Council) recommends the following pass:

HB 3205 (unanimous)

**The above bill was referred to the Committee on Community Affairs (Governmental Responsibility Council).**

**Received February 6:**

The Committee on Agriculture (Governmental Responsibility Council) recommends the following pass:

HB 3115

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Environmental Protection (Governmental Responsibility Council) recommends the following pass:

HB 3125 (unanimous)

**The above bill was referred to the Committee on General Government Appropriations.**

**Received February 10:**

The Committee on Education Appropriations recommends the following pass:

HB 1767, with 1 amendment (fiscal note attached)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Governmental Rules & Regulations (Governmental Responsibility Council) recommends the following pass:

HB 3039 (unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Rules, Resolutions, & Ethics recommends the following pass:

CS/HJR 51

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Education Appropriations recommends a committee substitute for the following:

CS/HB 175 (fiscal note attached, unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, CS/HB 175 was laid on the table.**

The Committee on Governmental Rules & Regulations (Governmental Responsibility Council) recommends the following pass:

HB 3167, with 1 amendment (unanimous)

**The above bill was referred to the Committee on Finance & Taxation.**

The Committee on Education Innovation (Academic Excellence Council) recommends a committee substitute for the following:

HB 1751

**The above committee substitute was referred to the Committee on Finance & Taxation, and, under the rule, HB 1751 was laid on the table.**

#### Received February 11:

The Committee on Health Care Standards & Regulatory Reform (Government Services Council) recommends a committee substitute for the following:

HB 1739 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 1739 was laid on the table.**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends a committee substitute for the following:

HB 3075

**The above committee substitute was referred to the Committee on Governmental Operations (Governmental Responsibility Council), and, under the rule, HB 3075 was laid on the table.**

The Committee on Election Reform (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 3001 (unanimous)

**The above committee substitute was referred to the Committee on Law Enforcement & Public Safety (Justice Council), and, under the rule, HB 3001 was laid on the table.**

#### Received February 16:

The Committee on Health Care Standards & Regulatory Reform (Government Services Council) recommends a committee substitute for the following:

CS/CS/HB 349 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, CS/CS/HB 349 was laid on the table.**

The Committee on Elder Affairs & Long Term Care (Government Services Council) recommends a committee substitute for the following:

HB 1093 (unanimous)

**The above committee substitute was referred to the Committee on Community Affairs (Governmental Responsibility Council), and, under the rule, HB 1093 was laid on the table.**

The Committee on Crime & Punishment (Justice Council) recommends a committee substitute for the following:

HB 3033

**The above committee substitute was referred to the Committee on Governmental Operations (Governmental**

**Responsibility Council), and, under the rule, HB 3033 was laid on the table.**

The Committee on Family Law & Children (Justice Council) recommends a committee substitute for the following:

HB 1985 (unanimous)

**The above committee substitute was referred to the Committee on Governmental Operations (Governmental Responsibility Council), and, under the rule, HB 1985 was laid on the table.**

The Committee on Health Care Standards & Regulatory Reform (Government Services Council) recommends a committee substitute for the following:

HB 3311 (unanimous)

**The above committee substitute was referred to the Committee on Governmental Operations (Governmental Responsibility Council), and, under the rule, HB 3311 was laid on the table.**

#### Received February 17:

The Committee on Transportation (Economic Impact Council) recommends a committee substitute for the following:

HB 1691

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 1691 was laid on the table.**

The Committee on Health Care Services (Government Services Council) recommends a committee substitute for the following:

HB 1213 (unanimous)

**The above committee substitute was referred to the Committee on Education Appropriations, and, under the rule, HB 1213 was laid on the table.**

The Committee on Environmental Protection (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 3229 (unanimous)

**The above committee substitute was referred to the Committee on Finance & Taxation, and, under the rule, HB 3229 was laid on the table.**

#### Received February 18:

The Committee on Community Affairs (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 3147 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3147 was laid on the table.**

The Committee on Community Affairs (Governmental Responsibility Council) recommends a committee substitute for the following:

HB 3287 (unanimous)

**The above committee substitute was referred to the Committee on Transportation & Economic Development Appropriations, and, under the rule, HB 3287 was laid on the table.**

#### Received February 19:

The Committee on Crime & Punishment (Justice Council) recommends the following pass:

HJR 3505 (unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Financial Services (Economic Impact Council) recommends the following pass:

CS/HB 1887 (unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends the following pass:

HB 3261 (unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Transportation & Economic Development Appropriations recommends the following pass:

CS/HB 3171 (fiscal note attached, unanimous)

**The above bill was placed on the appropriate Calendar or Council list.**

The Committee on Crime & Punishment (Justice Council) recommends a committee substitute for the following:

HB 3107 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3107 was laid on the table.**

The Committee on Real Property & Probate (Justice Council) recommends the following pass:

HB 3259 (unanimous)

**The above bill was referred to the Committee on Business Regulation & Consumer Affairs (Economic Impact Council).**

The Committee on Crime & Punishment (Justice Council) recommends the following pass:

HB 3333 (unanimous)

**The above bill was referred to the Committee on Civil Justice & Claims (Justice Council).**

The Committee on Water & Resource Management (Governmental Responsibility Council) recommends the following pass:

HB 3251, with 2 amendments (unanimous)

**The above bill was referred to the Committee on Finance & Taxation.**

**Received February 20:**

The Committee on Business Regulation & Consumer Affairs (Economic Impact Council) recommends a committee substitute for the following:

HB 3199 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3199 was laid on the table.**

**Received February 24:**

The Committee on Crime & Punishment (Justice Council) recommends a committee substitute for the following:

HB 3053 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3053 was laid on the table.**

**Received February 26:**

The Committee on Finance & Taxation recommends the following pass:

CS/HB 489 (fiscal note attached, unanimous)

CS/HB 899 (fiscal note attached, unanimous)

**The above bills were placed on the appropriate Calendar or Council list.**

The Committee on Finance & Taxation recommends the following pass:

CS/HB 1847 (fiscal note attached, unanimous)

**The above bill was referred to the Committee on General Government Appropriations.**

The Committee on Finance & Taxation recommends the following pass:

HB 3113 (fiscal note attached, unanimous)

**The above bill was referred to the Committee on Transportation & Economic Development Appropriations.**

The Committee on Elder Affairs & Long Term Care (Government Services Council) recommends a committee substitute for the following:

HBs 3089 & 171 (unanimous)

**The above committee substitute was referred to the Committee on Health & Human Services Appropriations, and, under the rule, HBs 3089 and 171 were laid on the table.**

The Committee on Health Care Services (Government Services Council) recommends committee substitutes for the following:

HB 219 (unanimous)

HB 3145 (unanimous)

**The above committee substitutes were referred to the Committee on Health & Human Services Appropriations, and, under the rule, HBs 219 and 3145 were laid on the table.**

The Committee on Crime & Punishment (Justice Council) recommends a committee substitute for the following:

HB 3357 (unanimous)

**The above committee substitute was referred to the Committee on Transportation (Economic Impact Council), and, under the rule, HB 3357 was laid on the table.**

**Received March 2:**

The Committee on Governmental Operations (Governmental Responsibility Council) recommends committee substitutes for the following:

CS/HB 1849 (unanimous)

HB 3161 (unanimous)

**The above committee substitutes were placed on the appropriate Calendar or Council list, and, under the rule, CS/HB 1849 and HB 3161 were laid on the table.**

The Committee on Health & Human Services Appropriations recommends a committee substitute for the following:

HB 1883 (fiscal note attached, unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 1883 was laid on the table.**

The Committee on Law Enforcement & Public Safety (Justice Council) recommends a committee substitute for the following:

HB 3265 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3265 was laid on the table.**

**Received March 3:**

The Committee on Crime & Punishment (Justice Council) recommends a committee substitute for the following:

HB 3367

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3367 was laid on the table.**

The Committee on Real Property & Probate (Justice Council) recommends a committee substitute for the following:

HB 3223 (unanimous)

**The above committee substitute was placed on the appropriate Calendar or Council list, and, under the rule, HB 3223 was laid on the table.**

The Committee on Crime & Punishment (Justice Council) recommends a committee substitute for the following:

HB 3257 (unanimous)

**The above committee substitute was referred to the Committee on Criminal Justice Appropriations, and, under the rule, HB 3257 was laid on the table.**

The Committee on Finance & Taxation recommends a committee substitute for the following:

HB 1095 (fiscal note attached, unanimous)

**The above committee substitute was referred to the Committee on Education Appropriations, and, under the rule, HB 1095 was laid on the table.**

The Committee on Family Law & Children (Justice Council) recommends a committee substitute for the following:

HB 3227 (unanimous)

**The above committee substitute was referred to the Committee on Health Care Standards & Regulatory Reform (Government Services Council), and, under the rule, HB 3227 was laid on the table.**

### **Adjourned**

Pursuant to the motion previously agreed to, the House adjourned at 12:13 p.m., to reconvene at 8:30 a.m., Wednesday, March 4.

## RULES of the FLORIDA HOUSE OF REPRESENTATIVES

### I. LEGISLATIVE ORGANIZATION

#### CHAPTER A. General Officers

1. The general officers of the Florida House of Representatives are the following:

Speaker  
Speaker pro tempore  
Majority Leader  
Minority Leader  
Clerk  
Sergeant at Arms

(a) The Speaker and Speaker pro tempore shall be elected by a majority of the duly elected and certified Members of the House. Each vote shall be recorded and, in the event a majority vote is not received on any ballot, the Members voting shall then ballot on the two names receiving the highest number of votes on the first ballot.

(b) The Majority Leader shall be selected by the Speaker and the Minority Leader shall be selected by the Minority Conference.

(c) The Clerk shall be designated by the House of Representatives to serve at its pleasure. The Clerk shall perform duties as set forth by the Speaker and these Rules.

(d) The Sergeant at Arms shall be appointed by the Speaker with the advice and consent of the Members and shall perform duties as set forth by the Speaker and these Rules.

#### CHAPTER B. Political Parties

2. **Political Parties**—The political party with the greatest number of Members who are registered voters of such party shall form the Majority Conference. The political party with the second largest number of Members who are registered voters of such party shall form the Minority Conference.

3. **Conference Rules**—The members of each conference may adopt rules to govern the affairs of that conference provided they are consistent with these Rules.

#### CHAPTER C. Public Records

4. **Legislative Records**—There shall be available for public inspection, whether maintained in Tallahassee or in a district office, the papers and records developed and received in the course of legislative business except as provided in s. 11.0431, Florida Statutes, or other provision of law.

#### 5. **Legislative Records: Maintenance, Control, Destruction, Disposal, and Disposition**—

(a) The responsibility for maintaining legislative records created by a committee or council shall be with the secretary of the committee or council or the employees of the House who are assigned to such committee or council. The secretary of the committee or council shall maintain records required by these Rules to be created or which are of vital, permanent, or archival value in a safe location that is easily accessible for convenient use. The secretary of the committee or council shall systematically dispose of records no longer needed for any purpose by the committee or council or employees of the House assigned to such committee or council and which are not needed in the transaction of current business and that do not have sufficient administrative, legal, or fiscal significance to warrant their retention, except for those records specifically required to be created pursuant to the Rules of the House of Representatives. A secretary of the committee or council need not retain any record specifically required to be created pursuant to these Rules when the substance of the record is published or retained in another form or location.

(b) The responsibility for maintaining legislative records which relate to the legislative business of the House of Representatives, other than committee legislative records and the records of the Office of the Speaker, Office of the Speaker pro tempore, Majority Office, Minority Office, and Sergeant at Arms' Office, shall be with the Clerk. The Clerk shall maintain records required by these Rules to be created or which are of vital, permanent, or archival value in a safe location which is easily accessible for convenient use. The Clerk shall systematically dispose of records no longer needed for any purpose by the House, the Clerk, a committee, or employees of the House assigned to a committee and which are not needed in the transaction of current business and that do not have sufficient administrative, legal, or fiscal significance to warrant their retention, except for those records specifically required to be created pursuant to the Rules of the House of Representatives. The Clerk need not retain any record specifically required to be created by these Rules when the substance of the record is published or retained in another form or location.

(c) The responsibility for maintaining the legislative records of the Office of the Speaker, Office of the Speaker pro tempore, Majority Office, Minority Office, and the Sergeant at Arms' Office shall be with the Speaker, Speaker pro tempore, Majority Leader, Minority Leader, or Sergeant at Arms, respectively. The Speaker, Speaker pro tempore, Majority Leader, Minority Leader, and Sergeant at Arms shall maintain such records which are required by these Rules to be created or which are of vital, permanent, or archival value in a safe location which is easily accessible for convenient use. The Speaker, Speaker pro tempore, Majority Leader, Minority Leader, and Sergeant at Arms shall systematically dispose of records no longer needed for any purpose by the House, the Clerk, a committee, or employees of the House assigned to such office or committee and which are not needed in the transaction of current business and that do not have sufficient administrative, legal, or fiscal significance to warrant their retention, except for those records specifically required to be created pursuant to the Rules of the House of Representatives. The Speaker, Speaker pro tempore, Majority Leader, Minority Leader, and Sergeant at Arms need not retain any record specifically required by these Rules to be created when the substance of the record is published or retained in another form or location.

(d) The responsibility for maintaining legislative records of a district office shall be with the Member representing the district for records created by the Member or the employees of the House who are assigned to the Member. The Member shall maintain records required by these Rules to be created or which are of vital, permanent, or archival value in a safe location which is easily accessible for convenient use. The Member shall systematically dispose of records no longer needed for any purpose by the Member, district office, or employees of the House assigned to the Member and which are not needed in the transaction of current business and that do not have sufficient administrative, legal, or fiscal significance to warrant their retention, except for those records specifically required to be created pursuant to the Rules of the House of Representatives. A Member need not retain any record specifically required to be created pursuant to these Rules when the substance of the record is published or retained in another form or location.

(e) Whenever the Speaker, Speaker pro tempore, Majority Leader, Minority Leader, or other Member has custody of any legislative record, the Member shall, at the expiration of the term of office, deliver to the successor in office or, if there be none, to the Clerk, all legislative records maintained in the transaction of official business. Whenever a standing or select committee is abolished or expires, the legislative records maintained on behalf of such standing or select committee shall be transferred by the committee secretary to the committee secretary of the standing or select committee directed by the Speaker to assume the jurisdiction of the former committee. If no committee is to assume the jurisdiction of the former committee, the committee secretary shall

transfer the legislative records kept or received on behalf of the standing or select committee to the Clerk for appropriate disposition.

(f) Whenever necessary, but no more often than annually nor less often than biennially, the Speaker, Speaker pro tempore, Majority Leader, Minority Leader, and Clerk, and each committee secretary, may transfer such legislative records which are required by these Rules to be created, which are of vital, permanent, or archival value, which are not needed in the transaction of current business, or which have sufficient administrative, legal, or fiscal significance to warrant their retention, to the Legislative Library Division of the Joint Legislative Management Committee for transfer to the Division of Library and Information Services of the Department of State for retention in accordance with law.

(g) The Clerk, with the approval of the Speaker, shall establish a schedule of reasonable and appropriate fees for copies of legislative records and documents; except there shall be no charge for a single copy of any individual, separately obtained bill, other than a general appropriations bill, or staff analysis or other record required by these Rules to be created. Such schedule shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or cost of records requested to be inspected, examined, or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the House, or both, the Clerk may impose a special service charge in addition to the actual cost of duplication. Such a special service charge shall be based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the House or attributable to the House for the clerical and supervisory assistance required, or both.

## II. DUTIES AND RIGHTS OF THE SPEAKER

### CHAPTER A. Duties as Presiding Officer

**6. Speaker to Enforce Rules**—The Speaker shall enforce, apply, and interpret the Rules of the House in all deliberations.

**7. Speaker to Bring Business Before the House**—The Speaker shall lay all business before the House, set the daily folder, reserve time for the committee meetings in compliance with these Rules and receive motions made by Members and put them to the House.

**8. Speaker to Refer Legislation to Committee**—The Speaker shall make all bill referrals to committee or to a Calendar, except as elsewhere provided in these Rules.

**9. Preservation of Order and Decorum**—The Speaker shall preserve order and decorum. In case of disturbance or disorderly conduct in the galleries or in the lobby, the Speaker may order that these areas be cleared. No signs, placards, or other objects of similar nature shall be permitted in the rooms, lobby, gallery, or Chamber of the House unless approved by the Speaker. The Speaker shall see that the Members conduct themselves in a civil manner in accordance with accepted standards of parliamentary conduct and may, when necessary, order the Sergeant at Arms to clear the aisles and seat the Members of the House so that business may be conducted in an orderly manner.

**10. Recognition of Gallery Visitors**—On written request by a Member, the Speaker may recognize or permit the Member to recognize persons in the gallery. The Speaker shall afford that recognition at a convenient place in the order of business, considering the need for order and decorum and the need for continuity of debate. The request must be made on a form prescribed by the Committee on Rules, Resolutions, & Ethics. The Speaker may recognize, at a time he or she considers appropriate during floor proceedings, the person serving as Physician of the Day.

**11. Questions of Order**—The Speaker shall decide all questions of order; however, such decisions are subject to an appeal to the House made by any five Members. The Speaker may require the Member raising a point of order to cite the rule or other authority in support of

the question. The Speaker may immediately put the question of appeal or refer the appeal to the Rules, Resolutions, & Ethics Committee for a recommendation to the House. No Member shall speak more than once on an appeal unless given leave by a majority of the House. When an appeal is pending, no motion shall be in order except a motion to adjourn, a motion to lay on the table, a motion for the previous question, a motion to temporarily postpone, or a quorum call. Responses to parliamentary inquiries and decisions of recognition made by the Chair may not be appealed.

**12. Appointment of Temporary Chair**—The Speaker may appoint any Member to perform the duties of presiding officer for a temporary period of time. If the Speaker is absent and no appointment has been made, the Speaker pro tempore shall act during the Speaker's absence.

**13. House Employees Serve at the Pleasure of the Speaker**—The Speaker shall employ all employees of the House and shall determine their qualifications, hours of work, and compensation, including perquisites and other benefits. All employees serve at the pleasure of the Speaker. The Speaker has the right to dismiss any employee of the House and the pay of such employee shall stop on the designated day of dismissal.

**14. The Speaker to Sign**—The Speaker shall sign all acts, joint resolutions, concurrent resolutions, resolutions, memorials, writs, subpoenas, vouchers for expenditures chargeable to the House, contracts binding on the House, or other papers issued by the House. The Speaker may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the House, a committee of the House, a Member of the House (whether in the legal capacity of Member or taxpayer), a former Member of the House, or an officer or employee of the House; when such suit is determined by the Speaker to be of significant interest to the House and the Speaker believes that the interest of the House would not be otherwise adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the Speaker.

**15. The Speaker's Vote**—The Speaker shall not be required to vote in legislative proceedings other than on final passage of a bill, except where the Speaker's vote would be decisive. In all yea and nay votes, the Speaker's name shall be called last. The Speaker shall follow the same conflict of interest rules as any other Member.

### CHAPTER B. Administrative Duties

**16. Control Over Chamber**—The Speaker shall have general control of the Chamber of the House, its lobbies, galleries, corridors, and passages, and other rooms in those parts of the Capitol assigned to the use of the House; except that the Chamber of the House shall not be used for any meeting other than legislative meetings unless specifically authorized by the Speaker.

**17. Standing Committee and Council Appointments**—The Speaker shall designate the chair, vice chair and any co-chairs he deems necessary for each House committee. Should the need arise, the Speaker may appoint a temporary chair for a committee or council. He shall also appoint the remaining membership of each committee. The Speaker shall also appoint the Chair of each council and the Steering and Liaison Member. The Speaker shall give notice of such establishment and appointment in writing to the Clerk of the House for publication in an Interim Calendar and the Session *Journal*.

**18. Appointment of Select and Conference Committees**—The Speaker shall appoint all conference committees. The Speaker shall name the House chair of each conference committee, and may also name the House vice chair thereof, except that the Chair of the Fiscal Responsibility Council shall be the House Chair of the Conference Committee for a General Appropriations Bill.

The Speaker may at any time by proclamation create a select committee and shall name the chair and vice chair thereof. A select committee has the jurisdiction, authority, and duties and exists for the period of time specified in the proclamation. A select committee has the powers granted by these Rules to a standing committee except as limited

by the proclamation. A copy of each proclamation creating a select committee shall be filed with the Clerk.

**19. Interim Studies**—When the Legislature is not in session, the Speaker may direct committees to perform interim studies and the committees shall meet as often as necessary to transact effectively the business assigned to them. The Speaker shall provide to the Clerk a copy of interim study assignments made to a standing or select committee.

### III. RULES

**20. Initial Adoption of House Rules**—The initial adoption of the House Rules shall require an affirmative vote of a majority. Once adopted, the House Rules shall remain in effect, unless suspended or amended as provided in these Rules.

**21. Suspension of Rules**—Any rule of the House, except Rule 22, may be suspended temporarily by a two-thirds vote of the House provided that the temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond adjournment of a session day.

**22. Amending House Rules**—No Rule of the House shall be amended except by a report recommended by the Rules, Resolutions, & Ethics Committee and adopted by a majority vote of the House. A report of the Committee on Rules, Resolutions, & Ethics proposing amendments to these Rules shall always be in order.

**23. Mason's Manual of Legislative Procedure**—In all cases not provided for by the Florida Constitution, by the House Rules, or by the joint rules of the Senate and House, the authority shall be the latest edition of *Mason's Manual of Legislative Procedure*.

### IV. MEMBERS

#### 24. Members Shall Vote; Disclosure of Interest and Disqualification from Voting—

(a) Every Member shall be within the House Chamber during its sittings unless excused or necessarily prevented, and shall vote on each question put, except that no Member shall be permitted to vote on any measure which the Member knows or believes would inure to the Member's special private gain.

(b) A Member of the House, when voting on any measure which the Member knows or believes would inure to the special private gain of a family member of the Member, or to the special private gain of any principal by whom the Member or a family member of the Member is retained or employed, shall disclose the nature of the interest of such person in the outcome of the vote. Disclosure shall be done in a timely manner by filing a memorandum with the Clerk of the House which shall be printed in the *Journal* if a vote is taken on the floor. If the vote is in a committee the memorandum shall be filed with the committee secretary, who shall attach such memorandum to the committee report. For the purpose of this Rule, family members shall include the Member's spouse, parents, and children.

**25. Excused Absence**—Upon written request, the Speaker may, by written notice to the Clerk, excuse any Member from attendance on the House for any stated period, and such excused absence shall be noted on the *Journal*.

**26. Possession of Bills**—No Member or any other person shall take possession of an original bill, after filing, with the intention of depriving the Legislature of its availability for consideration. The responsibility for the safekeeping of original filed bills shall vest in the Clerk of the House or, after being committed to a committee, in the committee chair. The committee chair may authorize a staff member to sign for receipt of bills.

#### 27. Members Deemed Present Unless Excused; Failure to Answer Roll Call—

(a) Any Member, having answered roll call (taken either orally or by electronic means) at the opening of any daily session, or who enters after the initial quorum call and informs the Clerk of the Member's presence,

shall thereafter be deemed as present unless leave of absence is obtained from the Speaker.

(b) Any Member who is present and fails or refuses to record on a roll call after being requested to do so by the Speaker shall be recorded as present by the Speaker and shall be counted for the purpose of making a quorum.

**28. Legislative Ethics and Official Conduct**—Legislative office is a trust to be performed with integrity in the public interest. A Member of the House is jealous of the confidence placed in the Member by the other Members and by the people. By personal example and by admonition to colleagues whose behavior may threaten the honor of the lawmaking body, the Member shall watchfully guard the responsibility of office and the responsibilities and duties placed on the Member by the House. To this end, each Member of the House shall be accountable to the House for violations of this Rule or any provision of the House Code of Conduct contained in Rules 28 through 35.

**29. The Integrity of the House**—A Member shall respect and comply with the law and shall perform at all times in a manner that promotes public confidence in the integrity and independence of the House and of the Legislature. Each Member shall perform at all times in a manner that promotes a professional environment in the House, free from discrimination.

#### 30. Improper Influence; Solicitation of Campaign Contributions—

(a) A Member of the House shall accept nothing which reasonably may be construed to improperly influence the Member's official act, decision or vote.

(b) A Member of the House shall neither solicit nor accept any campaign contribution during the 60-day regular legislative session on the Member's own behalf or on behalf of a political party or on behalf of a candidate for the House of Representatives; however, a Member may contribute to the Member's own campaign.

**31. Ethics; Conflicting Employment**—A Member of the House shall:

(a) Scrupulously comply with the requirements of all laws related to the ethics of public officers.

(b) Not allow personal employment to impair the Member's independence of judgment in the exercise of official duties.

(c) Not directly or indirectly receive or agree to receive any compensation for any services rendered or to be rendered either by the Member or another when such activity is in substantial conflict with the duties of a Member of the House.

**32. Use of Official Position**—A Member shall not corruptly use or attempt to use the Member's official position in a manner contrary to the trust or authority placed in the Member either by the public or by other Members, for the purpose of securing a special privilege, benefit, or exemption for the Member or for others.

**33. Use of Information Obtained by Reason of Official Position**—A Member may engage in business and professional activity in competition with others, but shall not use, or provide to others, any information obtained by reason of the Member's official capacity as a Member, unavailable to members of the public as a matter of law, for the Member's personal gain or benefit or for the personal gain or benefit of any other person or business entity.

**34. Members to Advise Legislative Employees of House Requirements**—Each Member of the House shall be responsible for calling the regulations, policies, and procedures approved by the Speaker relating to legislative staff and the Rules of the House relating to legislative staff to the attention of any staff for which the Member is directly responsible. A Member shall not engage, or permit another to engage, in conduct which the Member knows or should have known to be harmful to a professional environment in the workplace, free from employment discrimination. A professional environment in the

workplace, free from employment discrimination, is one in which there is compliance with state and federal law and the regulations, policies, and procedures relating to employment discrimination approved by the Speaker.

**35. Representation of Another Before a State Agency**—No Member shall personally represent another person or entity for compensation before any state agency other than a judicial tribunal. For the purposes of this Rule, “state agency” means an entity of the legislative or executive branch of state government over which the Legislature exercises plenary budgetary and statutory control.

**36. Advisory Opinions**—A Member of the House, when in doubt about the applicability and interpretation of these Rules with respect to legislative ethics and Member conduct, may convey the facts of the situation to the House general counsel for an advisory opinion. The general counsel shall issue the opinion within ten days after receiving the request. The advisory opinion may be relied upon by the Member requesting the opinion. Upon request of any Member, the committee designated by the Speaker to have responsibility for the ethical conduct of Members may revise an advisory opinion rendered by the House general counsel through an advisory opinion issued to the Member who requested the opinion.

An advisory opinion rendered by the House general counsel or committee shall be numbered, dated, and published by the Clerk in an annual publication of the House. Advisory opinions from the House general counsel or the committee shall not identify the Member of the House seeking the opinion unless such Member so requests.

**37. Felony Indictment or Information of Member**—

(a) If an indictment or information for a felony, which relates to the Member’s responsibility as a public officer, is filed against a Member of the House, the Member indicted or informed against may request the Speaker to excuse the Member, without pay, from all privileges of membership of the House pending final adjudication.

(b) If the indictment or information is either *nolle prosequere* or dismissed, or if the Member is found not guilty of the felonies charged, which relate to the Member’s responsibility as a public officer, or lesser included felonies, which relate to the Member’s responsibility as a public officer, then that Member shall be paid all back pay and other benefits retroactive to the date the Member was excused.

**38. Felony Guilty Plea of a Member**—A Member who enters a plea of guilty or *nolo contendere* (no contest) to a felony, which relates to the Member’s responsibility as a public officer, shall be suspended immediately, without a hearing, without pay, from all privileges of membership of the House through the remainder of that Member’s term.

**39. Felony Conviction of a Member**—A Member convicted of a felony, which relates to the Member’s responsibility as a public officer, shall be suspended immediately, without a hearing, without pay, from all privileges of membership of the House pending appellate action or the end of that Member’s term, whichever occurs first. If the final appellate decision is to sustain the conviction on a felony which relates to the Member’s responsibility as a public officer, then that Member’s suspension shall continue to the end of that Member’s term; if the final appellate decision is to vacate the conviction and there is a rehearing, the Member shall be subject to Rule 37; if the final appellate decision is to vacate the conviction and no felony charges which relate to the Member’s responsibility as a public officer remain against that Member, that Member shall be entitled to restitution of back pay and other benefits retroactive to the date of suspension.

**40. Open Meetings**—Subject to order and decorum, each Member of the House shall provide reasonable access to members of the public to any meeting between such Member and two or more other Members of the House or of the Senate, if such members of the public have requested admission and such meeting has been prearranged for the purpose of agreeing to take formal legislative action on pending legislation or amendments at such meeting or at a subsequent time. No such meeting shall be conducted in the Members’ Lounge or at any location which is closed to all members of the public. No such meeting

shall be conducted at any location which the Member knows to prohibit admission on the basis of race, religion, gender, national origin, physical handicap, or similar classification.

Meetings conducted in the Chambers of either the House or the Senate while such body is in session shall be considered to be held at a location providing reasonable access to, and to be reasonably open to, the public. Where the number of persons must be limited because of space considerations or otherwise for the maintenance of order or decorum, at least one representative each of the print media, radio, and television shall be included among the members of the public admitted, if such persons have requested admission.

For the purpose of this Rule, and as used in Article III, Section 4, of the State Constitution, legislation shall be considered pending if filed with the Clerk of the House and an amendment shall be considered pending if it has been delivered to the secretary of a committee in which the legislation is pending or to the Clerk of the House, if the amendment is to a bill which has been reported favorably by each committee of reference and the term “formal legislative action” shall include any vote of the House or Senate, or of a committee, on final passage or on a motion other than a motion to adjourn or recess.

**V. DUTIES OF THE CLERK, SERGEANT AT ARMS, CHAPLAIN, AND EMPLOYEES**

**41. Clerk**—The Clerk shall:

(a) Be the custodian of all bills and resolutions;

(b) Number in the order of their filing, with an odd-number sequence, all bills, joint resolutions, concurrent resolutions, memorials, and House resolutions;

(c) Provide for the keeping of a complete record of introduction and action on all bills and resolutions, including the number, author, brief description of the subject matter, committee reference, and the time sequence of action taken on all bills and resolutions to reflect at all times their status in the legislative process;

(d) Forward to committee chair each measure referred to a committee along with all official attachments thereto;

(e) Keep a correct journal of proceedings of the House. The journal shall be numbered serially and published from the first day of each session of the Legislature.

(1) All amendments taken up, unless withdrawn, shall be printed in the *Journal* except that an amendment to a general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report.

(2) Any motion to spread remarks upon the *Journal*, except those of the Governor and Speaker, shall be referred to the Committee on Rules, Resolutions, & Ethics for recommendation before being put to the House.

(f) Keep open the Office of the Clerk during and between sessions of the Legislature.

(g) Superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials.

(h) Shall not permit any records or papers belonging to the House to be taken out of the Clerk’s custody other than in the regular course of business and only then upon receipt. All such records in the custody of the Clerk shall be available for public inspection.

(i) Shall report any missing papers to the Speaker.

(j) Prepare Daily and Interim Calendars necessary to provide public notice of consideration of bills by the House and its committees.

(k) Prepare the copy for all printed forms used by the House in the process of considering legislation. The Clerk shall have the responsibility for distribution of documents required by these Rules to be originated in the Office of the Clerk.

(l) Examine bills upon their tender for introduction to determine whether facially these meet the requirements of the Constitution for the presence of the enacting or resolving clause or provision in local bills, including local claim bills, for advertising or for referendum; but beyond calling an apparent defect to the attention of the sponsor, the obligation of the Clerk shall end.

It shall be a ministerial duty of the Clerk to attest to all writs, issued by order of the House, and to the passage of all bills.

**42. Sergeant at Arms**—The Sergeant at Arms shall:

(a) Attend the House during its sittings and maintain order under the direction of the Speaker or Member performing the duties of the Chair;

(b) Ensure that no person is admitted to the House Chamber except in accordance with provisions of these Rules;

(c) Execute all commands of the Speaker;

(d) Be the custodian of furniture, books, and property of the House, and shall, annually, take an inventory of all property under the Sergeant at Arms' charge.

(e) Perform all other duties pertaining to his or her office as prescribed by law or by rule of the House; and

(f) Be under the direct supervision of the Speaker.

**43. Chaplain to Offer Prayer**—A chaplain shall attend at the beginning of each day's sitting of the House and open the same with prayer. In the absence of a chaplain, the Speaker may designate someone else to offer prayer.

**44. Employees Forbidden to Lobby; Restriction on Employee Campaign Activities**—

(a) No employee of the House shall, directly or indirectly, be interested or concerned with the passage or consideration of any bill except duly authorized members of the staff designated in writing by a Member of the House with authority over the designated staff member. If any employee exhibits an improper interest or concern with any bill it shall be grounds for dismissal. This provision shall not prohibit a Member's assigned district staff, at the Member's direction, from representing the Member's views on issues in which the Member has an interest.

(b) Employees shall not engage in campaign activities during regular work hours, except when on approved leave, and shall neither hold, nor be a candidate for public office other than a political party executive committee office while in the employ of the House of Representatives.

## VI. ORGANIZATION OF COMMITTEES AND COUNCILS

### STANDING COMMITTEES AND COUNCILS

**45. Standing Committees**—Thirty-seven standing committees of the House are hereby created. Each committee shall be placed in one of seven councils as follows:

The Government Services Council shall consist of the following substantive standing committees:

1. Elder Affairs & Long Term Care
2. Health Care Standards & Regulatory Reform
3. Health Care Services
4. Children & Family Empowerment

The Academic Excellence Council shall consist of the following substantive standing committees:

1. Education Innovation
2. Education/K-12
3. Colleges & Universities
4. Community Colleges & Career Prep

The Economic Impact Council shall consist of the following substantive standing committees:

1. Business Development & International Trade
2. Transportation
3. Financial Services
4. Regulated Services
5. Business Regulation & Consumer Affairs
6. Utilities & Communications
7. Tourism

The Justice Council shall consist of the following substantive standing committees:

1. Corrections
2. Crime & Punishment
3. Law Enforcement & Public Safety
4. Juvenile Justice
5. Civil Justice & Claims
6. Real Property & Probate
7. Family Law & Children

The Governmental Responsibility Council shall consist of the following substantive standing committees:

1. Governmental Operations
2. Governmental Rules & Regulations
3. Environmental Protection
4. Water & Resource Management
5. Community Affairs
6. Agriculture
7. Election Reform

The Fiscal Responsibility Council shall consist of the following fiscal standing committees:

1. Criminal Justice Appropriations
2. Education Appropriations
3. General Government Appropriations
4. Health & Human Services Appropriations
5. Transportation & Economic Development Appropriations
6. Finance & Taxation

The Procedural Council shall consist of the statutory joint committees and the following standing committees:

1. Rules, Resolutions, & Ethics
2. Reapportionment

**46. Councils**—Except for the Procedural Council, each council as set forth in Rule 45 shall consist of a Chair, the Steering and Liaison Member, and the Chair and Vice Chair of each of the standing committees within the council.

(a) Except as provided in paragraph (b) and (g), during a legislative session, the council whose jurisdiction includes the committee introducing the bill or to which a Member bill was first referred shall rank, in order of importance, each bill favorably reported out of all committees to which the bill was referred. The councils shall report such ranking to the Speaker and the Clerk. Such report shall constitute the ranked calendar of the reporting council. As the Council is apprised of additional reports, rankings may be amended accordingly.

(b) Councils may refer bills available for ranking to a standing committee within that council with a request for further consideration including, but not limited to, combining two or more bills into a committee substitute.

(c) Councils may designate certain bills available for extended voting. When a vote on final passage is taken on a bill designated for extended voting, the voting machine shall remain open for up to five minutes, during which time Members may vote and no other business may be considered.

(d) During the first 45 days of a regular session, prior notice shall be given six hours in advance of a council meeting. After the 45th calendar day and during any extended or special session, notice shall be given at least two hours in advance of a proposed meeting.

(e) Council reports shall be delivered to the Clerk of the House at a designated place in the Office of the Clerk no later than 4:30 p.m. of a legislative day.

## (f) Procedural Council.

(1) Membership. The Procedural Council shall consist of a Chair, the Steering and Liaison Member, the Chairs and Vice Chairs of the standing committees within the Council, and any House Members serving as chair of a statutory joint committee.

(2) Responsibilities. The Procedural Council shall assist and advise the Speaker in the development and coordination of overall policy and oversight of the management of the House and statutory joint committees. Except for the Local, Consent, and Ceremonial Resolutions Calendars, the Procedural Council shall rank bills, resolutions, and joint resolutions on the Procedural Calendar which have been reported from committees within the Council. The consideration and ranking of such bills and resolutions shall be in accordance with the general provisions of this Rule.

(g) Local bills shall not be required to be ranked, except as provided in Rule 131(f).

(h) Bills on Unfinished Business that are within a council's jurisdiction may be included in a council's ranked list or on third reading as appropriate.

## VII. ORGANIZATION, POWERS, AND DUTIES OF COMMITTEES

### 47. Powers of the Chair; Appointment of Members—

(a) Membership on the standing committees shall be determined by the Speaker prior to the convening of each regular session.

(b) The committee or council chair shall sign all notices, vouchers, subpoenas as provided under Rule 79, or reports required or permitted by these Rules. Except as otherwise provided in these Rules, the chair has all authority necessary to ensure an efficient operation of the committee or council, including, but not limited to: presiding over the committee or council; establishing the agenda for the committee or council; deciding all questions of order; and determining the order in which matters are considered in committee or council.

(c) Questions of order are subject to an appeal by any committee or council member, and the appeal shall be certified by the chair to the House for a decision by the Speaker during the daily session of the House next following such certification. The ruling shall be entered in the *Journal* and shall be subject to appeal as any other question. The chair may, or on the vote of a majority of the committee or council members shall, certify a question of parliamentary procedure to the Speaker as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the Speaker as if it had been on appeal. The certification of an appeal or of a question of parliamentary procedure pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

**48. Vacancies on Standing Committees—**Should a vacancy occur on a standing committee subsequent to its organization, the Speaker shall appoint an eligible member to fill the vacancy.

**49. Ex Officio Members—**The Speaker may designate the Speaker pro tempore or the Majority Leader as an *ex officio*, voting member of any standing committee. Alternatively, the Speaker may designate the council chair as an *ex officio* voting member of any committee within that council. No standing committee may have more than one *ex officio* member voting at any one time. For the purpose of a quorum, an *ex officio* member shall not be included in the membership of a committee.

**50. Meetings of Standing and Select Committees—**Standing and select committees shall meet at the call of the chair or, in his absence, the vice chair or temporary presiding officer within the dates and times reserved by the Speaker.

**51. Notice to the Public—**Committees shall regularly meet in the room assigned for their use by the Sergeant at Arms, and notice of such assignment shall be posted.

**52. Time for Meetings—**A chair may arrange with the Sergeant at Arms for evening or other special meeting; provided, however, that no committee or council meeting shall begin before 8:00 a.m. or last beyond 6:00 p.m. unless granted special leave by the Speaker to do so.

**53. Committees Meeting During House Session—**No committee shall meet while the House is in session without special leave, except the Committee on Rules, Resolutions, & Ethics and conference committees.

**54. Consideration of Bills, Including Proposed Committee Bills—**The chair or, in his absence, the vice chair or temporary presiding officer of any standing committee shall give prior notice in writing of the intention to take up any bill or proposed bill.

Proposed committee bills (PCBs) shall be treated as other bills in meeting the requirements for notice. (See: Rules 55, 56, 57) The committee secretary shall provide a copy of any PCB to each committee member no later than the time of posting of notice/agenda and make copies of PCBs available upon request to other members of the Legislature and to the general public. Delivery to committee members shall be by mail or by other appropriate electronic means during the interim, and to House offices when the House is in session. A PCB taken up without the committee conforming to this Rule shall be regarded as being considered in workshop session only with final action carried over to a future meeting of the committee at which the above stated requirements have been met. Proposed committee substitutes shall meet the notice requirements that apply to PCBs.

**55. Time Required for Advance Notice—**During the first 45 calendar days of a regular session, prior notice shall be given four days (excluding Saturday and Sunday) in advance of a committee meeting for the purpose of considering legislation. If the notice is given by 4:30 p.m. to the Sergeant at Arms and the Clerk, a bill or proposed bill may be heard at any time on the fourth succeeding day. After the 45th calendar day and during any extended or special session, the notice shall be given at least 24 hours in advance of the proposed meeting. Except when sitting as a committee considering the substance of legislation, the Committee on Rules, Resolutions, & Ethics shall be exempt from this requirement.

If a committee is approved and scheduled for a meeting by the Speaker, yet no meeting is planned, a notice stating that no meeting is to be held shall be filed.

**56. Nature and Distribution of Notice—**A notice shall include a listing and sufficient title for identification of any and all bills or proposed bills to be considered by a committee including those pending on reconsideration.

A notice shall state the date, time, and place of a meeting and be given to the Clerk of the House, the Sergeant at Arms, the sponsor, the members of the committee, and any Member who has given the chair timely written notice of his desire to be notified on a specific bill. The Sergeant at Arms, in receiving notices, shall show the day and hour received on a receipt.

Whenever timely, the Clerk shall enter notices in the Calendar of the House.

**57. Notices of Meetings Between Sessions—**Before any committee holds a meeting for the purpose of considering a prefiled bill or proposed committee bill (PCB) during the period when the Legislature is not in session, a notice of such meeting shall be filed with the Clerk and the Sergeant at Arms no later than 14 calendar days before the Friday preceding the week of the meeting. If a committee is approved and scheduled for a meeting by the Speaker, yet no meeting is planned, a notice stating that no meeting is to be held shall be filed. The committee secretary separately shall send copies of the notice to the members of the committee, the first-named sponsor of the bill, and to such sponsors and others who have requested notice. This notice shall state the date, time, and place of meeting, bill number, and sufficient title for identification. Whenever timely, the Clerk shall enter such notices in an interim calendar. When two meetings have been scheduled by a committee during a 30-day period when the Legislature is not in session, the chair may provide in the notice for the first meeting that

bills placed on the agenda for the first meeting and not reported out shall be available for consideration at the second meeting without further notice.

**58. Attendance Upon Meetings Required**—A member shall attend all meetings of committees to which appointed, unless excused by the chair or the Speaker. Excuse from House session shall constitute excuse from that day's committee meetings. Failure to attend two consecutive meetings, unless excused, shall constitute automatic withdrawal from the committee and create a vacancy. Upon notification by the chair of the committee, the Speaker shall make an appointment to such vacancy.

**59. Continuation of Recessed Meetings on Same Day**—A committee or council may continue the consideration of properly noticed legislation after the expiration of the time set for the meeting if a majority agree to temporarily recess to continue the meeting at a time and place certain on the same day, with the approval of the Speaker.

**60. Reconsideration in Committee**—

(a) The Rules of the House shall govern proceedings in committee insofar as these are applicable except that a motion for reconsideration shall be treated in the following manner:

(b) When a question has been decided by a committee, any Member voting with the prevailing side or any Member when the vote was a tie or by voice, may move for reconsideration instanter or leave the motion pending. By a two-thirds vote, the committee may take up for immediate disposition any motion to reconsider left pending. The motion to reconsider may be made at any time during the same meeting prior to the adoption of a motion to rise or to the committee's rising without motion upon the time of adjournment having arrived.

(c) A motion to reconsider having been made and left pending, the motion shall be a special and continuing order of business for the next succeeding committee meeting and, unless considered at that meeting on the request of any member of the committee, shall be deemed abandoned and the committee secretary shall forthwith report the bill to the Clerk of the House.

(d) A motion to reconsider a collateral matter must be disposed of during the course of consideration of the main subject to which it is related.

(e) If the committee shall refuse to reconsider or, upon reconsideration, shall confirm its prior decision, no further motion to reconsider shall be in order except upon unanimous consent of the committee members present.

(f) During the last five legislative days of a regular session or at any time during an extended or special session, the motion to reconsider shall be disposed of when made.

(g) If no motion is made at the meeting when a bill has been considered and decided, the committee secretary shall forthwith report the bill to the Clerk of the House.

**61. Open Meetings**—All meetings of all committees and councils shall be open to the public at all times, subject always to the authority of the presiding officer to maintain order and decorum, except that where necessary for the protection of a witness and with the concurrence of the Speaker, a chair may close a committee meeting, or portion thereof, and the record of such meeting shall not disclose the identity of the witness appearing before the committee.

**62. Unfavorable Reports**—A bill reported unfavorably to the Clerk of the House shall be laid on the table. A bill so reported may be taken from the table upon the motion of any Member, adopted by a two-thirds vote, after debate not to exceed six minutes evenly divided between proponents and opponents of the motion.

**63. Voting in Committee**—A majority of a committee, a quorum having been established, shall agree by their recorded votes upon the disposition of any bill or other main question considered by the committee. (Constitution: Article III, Section 4(c)—“In any legislative

committee or subcommittee, the vote of each member voting on the final passage of any legislation pending before the committee, and upon the request of any two members of the committee or subcommittee, the vote of each member on any other question, shall be recorded.”)

**64. Proxy Voting Prohibited; Votes Recorded After Roll Call**—No member of a committee shall be allowed under any circumstance to vote by proxy. Absent members may have recorded an indication of how they would have voted if present, but this shall not be counted on a roll call.

**65. Quorum Required; Reports by Poll Prohibited**—No committee shall file a report unless the committee has met at an authorized time and place, with a quorum present. A majority of the membership of the committee shall constitute a quorum. If any matter is reported on the basis of a poll, such matter shall be recommended by the Speaker or chair to the committee upon a point of order.

**66. Nature and Contents of Reports**—It shall be the duty of committees to report bills either favorably, favorably with committee amendment, favorably with committee substitute, or unfavorably, but never “without recommendation.” A motion to lay a bill “on the table” shall be construed as a motion to report the pending bill unfavorably.

Each report of a committee shall contain the action of the committee on the bill being transmitted, together with a Committee Information Record stating:

(a) the time and place of the meeting at which the action was taken;

(b) the name and address of each person addressing the committee relative to the measure and, if any agent, the interest represented; and

(c) the vote of each member of the committee on the motion to report each bill.

Each report by a committee shall set forth the identifying number of the bill, and, if amendments are proposed by the committee, the words “with (number of) amendments” shall follow the identifying number. For the purpose of documentation, committees shall retain copies of committee reports and amendments adopted, rejected, or withdrawn with the committee action noted thereon. After the committee report has been filed with the Clerk of the House as provided in these Rules, the Clerk shall preserve the Committee Information Record for the convenient inspection by the public during the legislative session and afterwards deliver it to the Secretary of State.

**67. Recommendation for Reporting Closed Bills**—A substantive committee considering a bill may, with the approval of the bill's first-named sponsor, recommend a bill as “closed.” If the council ranking the bill agrees with the substantive committee's recommendation to close the bill and the first-named sponsor continues to support the recommendation, upon motion adopted by majority vote of the council, no amendments shall be considered on the House floor to such bill except those recommended by a committee.

**68. Fiscal Analysis**—All general bills affecting revenues, expenditures, or fiscal liability shall be accompanied by a fiscal analysis upon being reported favorably by a fiscal standing committee. Fiscal analyses shall state in dollars the estimated increase or decrease in revenues or expenditures and the present and future fiscal implication of the bill. A fiscal analysis shall be regarded as a memorandum of factual information and may be included within the body of the bill analysis which accompanies the bill, which analysis shall be made available to Members. The fiscal analysis portion of the bill analysis shall not express comment nor opinion relative to the merits of the legislation proposed but should point out technical or mechanical defects. In the event of any bill of this nature being reported favorably by any fiscal standing committee without a fiscal analysis having been prepared or a statement that the bill has no effect on revenues, expenditures, or fiscal liability, it shall be the right of any Member to raise a point of order on second reading and the Speaker may, in the Speaker's discretion, order return of the bill to the appropriate fiscal committee. The accuracy of a fiscal analysis shall not be a basis for a point of order under these Rules. A fiscal analysis prepared for a House bill may be presumed as prepared also for its Senate companion.

**69. Placement of Bills on Consent Calendar**—A bill which receives a unanimous favorable report with or without amendments from all committees to which it has been referred, shall, without further action, be placed on the Consent Calendar by the Clerk and shall remain pending for two days excluding Saturday and Sunday. If no Member files an objection with the Clerk before the expiration of the two days the bill shall be placed on the Consent Calendar and shall be available for consideration as part of the Consent Calendar when the Consent Calendar is next brought before the House. Unless placed on the Consent Calendar under Rule 136, any bill that fails to obtain placement on the Consent Calendar shall be ranked by the appropriate council.

At any time, a council with substantive jurisdiction over a bill may, by majority vote, remove the bill from a Consent Calendar and place the bill on its Council Calendar for purposes of ranking.

**70. Where Reports Are Delivered**—Committee reports, whether favorable or unfavorable, shall be delivered to the Clerk of the House at a designated place in the office of the Clerk no later than 12:00 noon of a legislative day. Reports delivered after 12:00 noon shall be considered delivered on the next legislative day. The original bill(s) shall accompany the report.

**71. How Reports Are Authenticated**—A committee report shall be signed by the chair or, in his absence, the vice chair or temporary presiding officer, using forms prescribed by the Clerk of the House.

**72. Ranking of Bills**—Bills reported favorably by all committees of reference shall be taken up and ranked by the council of the substantive committee introducing the bill or to which a Member bill was first referred. The Clerk shall each weekday prepare a Calendar of the House which shall include each of the seven council calendars. The bills shall appear as ranked in order of importance.

**73. Journal Entry**—As bills are reported, the identifying number of a bill, together with the action of the committee, whether favorable, unfavorable, favorable with (number of) amendment(s), or favorable with substitute, shall be entered in the *Journal*.

**74. Committee Amendments—**

(a) Amendments recommended by committees shall be produced on computer on the prescribed forms in accordance with the requirements of the Clerk, numbered serially, and securely affixed to the bill.

(b) Every Member of the House may offer amendments to bills being considered by any committee of the House. If not appointed to the committee, a Member who offers an amendment shall comply with the amendment filing deadline and shall be present at the meeting.

(c) During the first 45 calendar days of a regular session, the filing deadline for amendments to be offered in a committee by nonappointed Members shall be 5:00 p.m., two days (excluding Saturday and Sunday) in advance of the committee meeting. After the 45th day and during any extended or special session, such amendments shall be filed two hours before the committee meeting. Amendments introduced by committee members shall not be subject to these filing deadlines and may be offered at any time during consideration of a bill.

**75. Committee Substitutes**—A committee, in reporting a bill, may draft a new bill embracing the same general subject matter, to be returned to the Clerk of the House in the same manner as the favorable reporting of any other bill. The substitute bill, signed by the chair or, in his absence, the vice chair or temporary presiding officer, shall carry the identifying number(s) of the original bill(s) and shall be returned to the Clerk of the House in the same form as required for introduction of a bill. Upon the filing of such report, the original bill(s) shall be laid on the table of the House. Any other committee of reference shall direct its attention to the substitute bill. The sponsor(s) of the original bill(s) shall be shown by the committee secretary as a cosponsor of the substitute unless he notifies the committee secretary in writing that he wishes to withdraw as a cosponsor. If all sponsors of the original bill request to withdraw as a cosponsor, the committee substitute shall not be delivered to or accepted by the Clerk for introduction, unless another

Member consents to his designation as a cosponsor, and the original bill shall be reported “unfavorably” in accordance with Rule 66.

Publication in the *Journal* of a committee substitute title with sponsors shall constitute first reading in the same manner as Introduction and Reference.

**76. Committee Bills; Designation of Cosponsors**—A bill introduced by a committee shall be accompanied by a Committee Information Record. A committee, in introducing a committee bill, shall designate a Member or Members of the committee as cosponsor(s) with the approval of said Member or Members. The bill will be shown by the Clerk of the House as having been introduced by the committee and the Member(s) so designated. If no Member consents to his designation as a cosponsor, the bill shall not be delivered to or accepted by the Clerk for introduction.

**77. Recommittal**—After a committee report has been received by the Clerk of the House, no bill shall be recommitted by the House to any committee except by a majority vote.

**78. Oversight Role**—The various standing committees shall have oversight responsibilities in order to assist the House in:

(a) its analysis, appraisal, and evaluation of

(1) the application, administration, execution, and effectiveness of the laws enacted by the Legislature, or

(2) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(b) its formulation, consideration, and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate.

**79. Oversight Powers—**

(a) Each standing or select committee is authorized to invite public officials and employees and private individuals to appear before the committee for the purpose of submitting information to it.

(b) Each committee is authorized to maintain a continuous review of the work of the state agencies concerned with its subject area and the performance of the functions of government within each such subject area, and for this purpose to request reports from time to time, in such form as such committee shall designate, concerning the operation of any state agency and presenting any proposal or recommendation such agency may have with regard to existing laws or proposed legislation in its subject area.

(c) In order to carry out its duties, each standing or select committee is empowered with the right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any state agency in this state.

**Issuance of Subpoena**

(d) In order to carry out its duties, each standing or select committee, whenever required, may issue subpoena with the approval of the Speaker and other necessary process to compel the attendance of witnesses before such committee or the taking of a deposition pursuant to these Rules. The chair of the standing or select committee shall issue said process on behalf of the standing or select committee. The chair or any other member of such committee may administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear before such committee for the purpose of testifying in any matter about which such committee may desire evidence.

(e) Each standing or select committee, whenever required, may also compel by subpoena *duces tecum* the production of any books, letters, or other documentary evidence it may desire to examine in reference to any matter before it. The chair of the standing or select committee shall issue process on behalf of the standing or select committee.

### Contempt Proceedings

(f) Either house may punish by fine or imprisonment any person not a Member who shall have been guilty of disorderly or contemptuous conduct in its presence or of a refusal to obey its lawful summons.

A person shall be deemed in contempt if he:

(1) Fails or refuses to appear in compliance with a subpoena or, having appeared, fails or refuses to testify under oath or affirmation;

(2) Fails or refuses to answer any relevant question or fails or refuses to furnish any relevant book, paper, or other document subpoenaed by or on behalf of such committee; or

(3) Commits any other act or offense against such committee which, if committed against the Legislature or either house thereof, would constitute contempt.

A standing or select committee may, by majority vote of all of its members, apply to the House for contempt citation. The application shall be considered as though the alleged contempt had been committed in or against the House itself. If such committee is meeting during the interim, its application shall be made to the circuit court pursuant to subsection (i)(8) of this Rule.

A person guilty of contempt under the provision of this Rule shall be fined not more than 500 dollars or imprisoned not more than 90 days or both, or shall be subject to such other punishment as the House may, in the exercise of its inherent powers, impose prior to and in lieu of the imposition of the aforementioned penalty.

(g) The sheriffs in the several counties shall make such service and execute all process or orders when required by standing or select committees. Sheriffs shall be paid as provided for in section 30.231, Florida Statutes.

### False Swearing

(h) Whoever willfully affirms or swears falsely in regard to any material matter or thing before any standing or select committee is guilty of perjury in an official proceeding, which is a felony of the third degree, and shall be punished as provided in section 775.082, section 775.083, or section 775.084, Florida Statutes.

### Rights of Witnesses

(i) All witnesses summoned before any standing or select committee shall receive reimbursement for travel expenses and per diem at the rates provided in section 112.061, Florida Statutes. However, the fact that such reimbursement is not tendered at the time the subpoena is served shall not excuse the witness from appearing as directed therein.

(1) Service of a subpoena requiring the attendance of a person at a meeting of a standing or select committee shall be made in the manner provided by law for the service of subpoenas in civil action at least seven calendar days prior to the date of the meeting unless a shorter period of time is authorized by majority vote of all the members of such committee. If a shorter period of time is authorized, the persons subpoenaed shall be given reasonable notice of the meeting, consistent with the particular circumstances involved.

(2) Any person who is served with a subpoena to attend a meeting of any standing or select committee also shall be served with a general statement informing him of the subject matter of such committee's investigation or inquiry and a notice that he may be accompanied at the meeting by private counsel.

(3) Upon the request of any party and the approval of a majority of the standing or select committee, the chair, or in his absence the vice chair, shall instruct all witnesses to leave the meeting room and retire to a designated place. The witness will be instructed by the chair, or in his absence the vice chair, not to discuss his testimony or the testimony of any other person with anyone until the meeting has been adjourned and the witness discharged by the chair. The witness shall be further instructed that should any person discuss or attempt to discuss the matter under investigation with them after receiving such instructions,

the witness shall bring such matter to the attention of such committee. No member of such committee or representative thereof may discuss any matter or matters pertinent to the subject matter under investigation with witnesses to be called before such committee from the time that these instructions are given until the meeting has been adjourned and the witness discharged by the chair. Any person violating this Rule shall be in contempt of the Legislature.

(4) Any standing or select committee taking sworn testimony from witnesses as provided herein shall cause a record to be made of all proceedings in which testimony or other evidence is demanded or adduced, which record shall include rulings of the chair, questions of such committee and its staff, the testimony or responses of witnesses, sworn written statements submitted to the committee, and such other matters as the committee or its chair may direct.

(5) A witness at a meeting upon his advance request and at his own expense, shall be furnished a certified transcript of his testimony at the meeting.

### Right of Other Persons to be Heard

(6) Any person whose name is mentioned or who is otherwise identified during a meeting being conducted for the purpose of taking sworn testimony from witnesses of any standing or select committee and who, in the opinion of such committee, may be adversely affected thereby, may, upon his request or upon the request of any member of such committee, appear personally before such committee and testify on his own behalf, or, with such committee's consent, file a sworn written statement of facts or other documentary evidence for incorporation into the record of the meeting. Any such witness, however, shall prior to filing such statement, consent to answer questions from such committee regarding the contents of the statement.

(7) Upon the consent of a majority, any standing or select committee may permit any other person to appear and testify at a meeting or submit a sworn written statement of facts or other documentary evidence for incorporation into the record. No request to appear, appearance, or submission shall limit in any way the committee's power of subpoena. Any such witness, however, shall prior to filing such statement, consent to answer questions from any standing or select committee regarding the contents of the statement.

### Enforcement of Subpoena Out of Session

(8) Should any witness fail to respond to the lawful subpoena of any standing or select committee at a time when the Legislature is not in session or, having responded, fail to answer all lawful inquiries or to turn over evidence that has been subpoenaed, such committee may file a complaint before any circuit court of the state setting up such failure on the part of the witness. On the filing of such complaint, the court shall take jurisdiction of the lawful questions and to produce all documentary evidence in his possession which is lawfully demanded. The failure of any witness to comply with such order of the court shall constitute a direct and criminal contempt of court, and the court shall punish said witness accordingly.

**80. Conduct of Meetings of Investigative Committees**—Each standing or select committee shall comply with the following procedures with respect to compelling attendance of witnesses, production of documents or evidence, and the conduct of meetings before such committee.

If any standing or select committee fails in any material respect to comply with the requirements of this Rule, any person subject to subpoena or subpoena *duces tecum*, who is injured by such failure shall be relieved of any requirement to attend the meeting for which the subpoena was issued, or, if present, to testify or produce evidence therein, and such failure shall be a complete defense in any proceeding against such person for contempt or other punishment.

In addition, the following rules of procedure will be followed at all meetings of standing or select committees:

(a) A standing or select committee may exercise its powers during sessions of the Legislature, and in the interim.

(b) A standing or select committee which conducts meetings for the purpose of taking sworn testimony from witnesses shall consist of not less than five members.

(c) A quorum of a standing or select committee which conducts meetings for the purpose of taking sworn testimony from witnesses shall consist of a majority of the total authorized membership.

(d) No action shall be taken by a standing or select committee at any meeting unless a quorum is present. Such committees may act by a majority vote at a meeting at which there is a quorum, unless the rules or any law require a greater number or proportion.

(e) Any standing or select committee when conducting a meeting for the purpose of taking sworn testimony, shall give each member of the committee not less than three calendar days written notice of any meeting to be held when the Legislature is in session and at least seven calendar days written notice of any meeting to be held when the Legislature is not in session. Such notices shall include a statement of the subject matter of the meeting.

(f) The presiding member at a meeting may direct a witness to answer any relevant question or furnish any relevant book, paper, or other document, the production of which has been required by subpoena *duces tecum*. Unless the direction is overruled by a majority vote, disobedience shall constitute contempt as defined in these Rules.

(g) Before or during a meeting, a witness or his counsel may file with the standing or select committee, for incorporation into the record of the meeting, sworn written statements relevant to the purpose, subject matter, and scope of the committee's investigation or inquiry. Any such witness, however, shall prior to filing such statement, consent to answer questions from such committee regarding the contents of the statement.

(h) Where the chair of any committee determines that such procedure would expedite the inquiry or save expenses, the chair, with the concurrence of the Speaker, may authorize the conduct of proceedings by depositions, interrogatories, or compulsory production of documents as provided in this Rule. These proceedings shall be in the nature of statements under oath taken by a state's attorney. Counsel for persons under investigation may be allowed to attend such depositions at the discretion of the chair. Participation by such counsel at the depositions may also be allowed at the discretion of the chair. Any requests for attendance or participation should be addressed to the chair. If the requests are denied, a person may appeal the chair's ruling to the Speaker but there shall be no stay of proceedings pending such appeal.

Where counsel for persons subject to depositions are allowed to participate in the proceedings under the guidelines of the committee, testimony or other evidence taken may be introduced before the committee whether or not the persons or their counsel avail themselves of the opportunity.

(1) The chair, with the concurrence of the Speaker, may authorize a lawyer for the committee to take depositions of witnesses before a court reporter or notary public of this state. The deposition notice and/or the subpoena used therewith may identify persons either by name or by job description and such persons may be required to attend and give testimony pursuant to the guidelines.

(2) The chair, with the concurrence of the Speaker, may authorize the issuance of interrogatories to be answered under oath and these shall require the person to whom they are directed to appear before a notary public or court reporter and answer the questions under oath. These may be served by mail or by personal service and shall be answered under oath no later than seven days from the date of mailing or three days from the date of personal service. Any interrogatory may require that a person to whom it is directed (identified by name or job description) return the interrogatory in the mail or have it available for delivery to the lawyer for the committee on a date certain.

(3) Should any substantive or procedural question arise during any proceedings authorized by these Rules, the question shall be referred to the chair of the committee or to any committee member designated by

the chair to pass on such questions. Communication shall be made with the chair or any designated committee member by the most rapid available means, including telephone, and the resolution of such questions, including without limitation questions on the scope of the discovery may be communicated by telephone. If any person is dissatisfied with such a decision, appeal may be had to the Speaker but there shall be no stay of proceedings pending such appeal.

#### **81. Conference Committee Membership; Procedures—**

(a) The Speaker shall appoint all House managers for conference committees. He shall determine the number as need appears. He shall appoint no less than a majority who generally supported the House position as determined by the Speaker.

(b) Meetings of conference committees shall be open to the public at all times, subject always to the authority of the presiding officer to maintain order and decorum.

(c) All actions taken in conference committees shall be by motion.

(d) The chair or, in his absence, the vice chair of any conference committee shall give prior notice as soon as practicable of intention to meet. A notice shall state the date, time, and place of meeting and be posted on the door of the committee managing the conference for the House at least two hours prior to the time of the meeting.

**82. Composition of Conference Committee—**A conference committee shall consist of an equal number of managers from each house. The conference committee shall select one of its members to preside. A report shall require the affirmative votes of a majority of the managers from each house. The report shall be accompanied by the original bills.

**83. Presentation of Report—**The receiving of conference committee reports shall always be in order except when the House is voting on any proposition. When a report is presented to the House, the sequence shall be:

(a) The vote first shall be on whether the report shall be considered at that moment.

(b) The next vote shall be on acceptance or rejection of the report as an entirety. The report must be acted upon as a whole, being agreed to or disagreed to as an entirety.

(c) The final vote shall be a roll call on the passage of the bill as amended by the conference committee report.

Should either (b) or (c) fail, the report shall be automatically recommitted to the conference committee. In the event of a motion to reconsider, the vote first would be on (b) and then on (c).

**84. Form of Report—**In those instances where a conference committee has redrafted a bill, the committee shall report an amendment striking everything after the enacting clause, together with an appropriate title amendment if needed.

Each conference report shall be accompanied by a statement, written or oral, sufficiently explicit to inform the House of the changes in the bill sent to conference.

**85. Time Restraints on Conference Committees—**After House and Senate managers have been appointed for seven calendar days and have failed to report, it is hereby declared to be a motion of highest privilege either to move to discharge the House managers and appoint new House managers or to instruct the House managers.

During the last six calendar days allowed under the Constitution for a regular session, it shall be a motion of highest privilege to discharge, appoint new, or instruct House managers after House managers shall have been appointed 36 hours without having made a report.

**86. When Managers Are Unable to Agree—**When a conference committee is appointed in reference to any bill and the House managers report inability to agree, no action of the House taken prior to such appointment shall preclude further action by the House as the House may determine.

87. Committee of the Whole—Upon motion, the House may resolve itself into a Committee of the Whole to consider any matter referred to it by the House or to debate issues of importance to the state. In forming a Committee of the Whole, the Speaker may vacate the chair and appoint a chair to preside in committee.

(a) Twenty Members shall constitute a quorum of the Committee of the Whole.

(b) During the first 45 days of a regular session, Members may submit written remarks that have been certified by the Chair of the Committee on Rules, Resolutions, & Ethics as being in compliance with the decorum required by the House. Such remarks concerning questions or debate presented in Committee of the Whole and not in excess of 250 words shall be spread upon the Journal as time permits concerning questions or debate presented in Committee of the Whole.

(c) The Committee of the Whole shall not call roll prior to the convening of its business nor shall the Journal be kept.

(d) With the approval of the Speaker, standing committees and councils may meet while the House is resolved into the Committee of the Whole.

88. Rules of the Committee of the Whole—Rules governing the proceedings of the House and those governing committees shall be observed in the Committee of the Whole to the extent that they are applicable.

VIII. BILLS, RESOLUTIONS, AND MEMORIALS

89. "Bill" Stands for All Legislation—Except where the context otherwise indicates, "bill" as used in these Rules, means a bill, joint resolution, concurrent resolution, resolution, memorial, or other measure upon which a committee may be required to report.

90. Forms of Measures—To be acceptable for introduction, all bills shall be produced in accordance with standards approved by the Speaker. All measures shall be introduced in an original and thirteen copies. The original shall be backed with a folder-jacket and three copies with jackets. On these jackets shall be inscribed the name of the sponsor and enough of the title for identification, and on the original folder-jacket the signature of the first-named sponsor and other sponsors agreed to by the first-named sponsor. All signatures and respective district numbers must be on a numbered line as provided on the bill jacket. After bill filing, those Members desiring to be cosponsors shall fill out a cosponsor form to be agreed to by the first-named sponsor.

No Member shall be added or deleted as a sponsor or cosponsor of a bill or resolution without his or her written consent on forms provided by the Clerk.

The bill should be aligned on the page substantially according to the following form:

A bill to be entitled

An act . . . . .
. . . . .
. . . . .
Be It Enacted by the Legislature of the State of Florida:
Section 1. . . . .
. . . . .
Section 2. . . . .
. . . . .

Bills which propose to amend existing provisions of law shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions which propose to amend the Florida Constitution shall contain the full text of the section to be amended. As to those portions of general bills and joint resolutions which propose to amend existing provisions of the Florida Statutes, or the Florida Constitution, new words shall be inserted in the text underlined, and words to be deleted shall be lined-through with hyphens. In the event the change in language is so general that the use of these procedures would hinder,

rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted, but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the affected section of the bill: "Substantial rewording of section. See s. ..., F.S., for present text." When such a notation is used, the notation, as well as the substantially reworded text, shall be underlined. The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration. Numerals in the margins of the line-numbered paper shall not constitute a part of the bill, being shown on the page only for convenience in identifying lines. Section catchlines of existing text shall not be underlined, nor shall any other portion of a bill covered by this Rule other than new material.

91. Bills and Joint Resolutions—All bills shall contain a proper title, as defined in Section 6 of Article III of the Constitution, and the enacting clause, "Be It Enacted by the Legislature of the State of Florida:".

All joint resolutions shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:".

92. Local Bills—

(a) If a committee determines that a local bill may be enacted into law under the authority of a local governing body, that committee shall not report the bill to the Clerk.

(b) If a committee determines that a local bill provides only an exemption from general law, it shall be reintroduced as a general bill.

(c) All local bills, including local claim bills, must either, as required by Section 10 of Article III of the Constitution, embody provisions for a ratifying referendum (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement, securely attached to the original bill ahead of its first page.

93. Memorials—A memorial expresses the opinion of the Legislature to the federal government. All memorials shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:".

94. House Resolutions and Concurrent Resolutions—All House resolutions and all concurrent resolutions shall contain a title and a resolving clause. In the case of House resolutions, this shall be, "Be It Resolved by the House of Representatives of the State of Florida:". Concurrent resolutions shall state, "Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:". Concurrent resolutions shall present only questions pertaining to extension of a session, enactment of joint rules, ratification of federal constitutional amendments, or other procedural legislative matters.

Copies of House resolutions directed in the resolution to be furnished any person after adoption, shall be prepared only by the Clerk of the House. The Secretary of State shall be requested to prepare certified copies of concurrent resolutions after their adoption.

95. Requirements for Introduction—

(a) All bills (other than a general appropriations bill, concurrent resolutions relating to organization of the Legislature, resolutions relating to organization of the House, reviser's bills, reapportionment bills or resolutions, and recall of acts from the Governor) shall either be prepared or, in the case of local bills, reviewed by the House Bill Drafting Service. After completion and delivery by the House Bill Drafting Service, no change shall be made in the text or title of the bill without returning the bill to the House Bill Drafting Service prior to filing with the Clerk of the House.

(b) The Director of the House Bill Drafting Service shall notify any Member proposing a bill if an identical or similar bill has been filed and the name of the sponsor.

**96. Bills Filed for Term of Legislature—**

(a) All bills filed shall be available for consideration pursuant to these Rules for the entire two-year term of the Legislature except during special sessions. Bills filed for consideration during special sessions shall be deemed to have died upon *sine die* of the special session unless withdrawn or passed. At the end of the first regular session of a legislative biennium, all bills under consideration shall maintain the same position at the same reading on a calendar, referral to committee, or pending referral. House bills that passed the House during the first session on which agreement was not reached with the Senate and which were not unfavorably acted on in the Senate upon return to the House by the Senate shall be returned to second reading and placed on a Consent Calendar for consideration at the beginning of the next regular session. The latest engrossed version at session's end shall be the version carried over.

(b) After adjournment *sine die* of the first regular session of a term, a Member may, by letter to the Clerk, withdraw a carried-over bill from further consideration of the House.

(c) After the first session of a term, if a Senate bill was substituted for a House bill under Rule 99 and the Senate bill passed the House but did not achieve final agreement between the houses, the House bill shall be automatically removed from the table and placed on the Consent Calendar on second reading at the beginning of the next session.

**97. Printing—**Upon introduction, all bills (including committee bills and committee substitutes) shall be printed for the information of the House and the public, except that reviser's bills and House resolutions shall be printed only upon the order of the Committee on Rules, Resolutions, & Ethics. The Clerk shall have sufficient copies printed for the needs of the House and the public and shall furnish the copy for all such printing. The absence of a printed copy shall not delay the progress of any bill at any stage of its consideration.

**98. Identification—**Bills shall be introduced in the order they are received by the Clerk of the House and shall be serially numbered as filed. House resolutions shall be separately numbered. The Clerk shall validate the original copy of each bill, and each page thereof, to ensure its identification as the item introduced in order to prevent unauthorized or improper substitutions therefor. Any device used for such validation shall be used by and at all times shall be in the secure custody of the Clerk, and its use by any person not authorized by this Rule shall be prohibited.

**99. Companion Measures—**A companion Senate bill shall be substantially similar in wording, and identical as to specific intent and purpose as a House bill for which it is being substituted. Whenever a House bill shall be reached on the Daily Folder for consideration, either on second or third reading, and there shall be also pending on the Calendar of the House a companion bill already passed by the Senate, it shall be in order to move that the Senate companion bill be substituted and considered in lieu of the House bill. Such motion may be adopted by a majority vote, provided the Senate bill is on the same reading, otherwise the motion shall be to suspend the Rules by two-thirds vote and substitute such Senate bill. At the moment the House substitutes the Senate companion bill or takes up a Senate bill in lieu of a House bill, the House bill so replaced shall be automatically tabled. Recommitment of a House bill shall automatically carry with it any Senate companion bill then on a Council Calendar.

**100. Miscellaneous Papers; Veto Messages—**Papers of a miscellaneous nature addressed to the House may, at the discretion of the Speaker, be read, noted in the *Journal*, or filed with the appropriate committees. When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any Member, it shall be determined without debate by a majority vote of the House. In the case of veto messages, the Speaker shall refer them to the appropriate committees for recommendations.

**101. Prefiled Bills; Reference; Notice; Proposed Committee Bills—**During the period between the Organization Session and the convening of the regular session and between the first and second

regular sessions of the legislative biennium, Members may file with the Clerk of the House for introduction bills which have been prepared or reviewed by the House Bill Drafting Service.

(a) Such prefiled bills shall be numbered by the Clerk and presented to the Speaker for reference as otherwise provided under these Rules. After the Speaker has referred a bill to a committee, or committees, the Clerk shall notify the committee.

(b) Committees shall, after consideration of prefiled bills, report their actions promptly, in the manner prescribed by these Rules. Once received by the Clerk, a committee report on a prefiled bill shall not be subject to recall by the committee.

(c) Before any committee holds a meeting for the purpose of considering a prefiled bill or proposed committee bill (PCB) during the period when the Legislature is not in session, a notice of such meeting shall be filed with the Clerk and the Sergeant at Arms no later than 14 calendar days before the Friday preceding the week of the meeting. The committee secretary separately shall send copies of the notice to the members of the committee, the first-named sponsor of the bill, and to such sponsors and others who have requested notice.

(d) Prefiled bills shall be given first reading either on the first day of a regular session or as soon thereafter as possible. The Clerk shall record in the *Journal* the Speaker's reference of bills.

**102. Reviser's Bills—**

Reviser's bills are nonsubstantive bills initiated by the Joint Legislative Management Committee pursuant to section 11.242, Florida Statutes, for one of the following purposes:

(a) To reduce the number and bulk of the statutes;

(b) To remove inconsistencies and redundancies in the statutes; and

(c) To improve the clarity and facilitate the correct and proper interpretation of the statutes.

Reviser's bills shall be introduced by the Committee on Rules, Resolutions, & Ethics which may request prior review by another substantive committee. They shall be filed as soon as possible prior to or during each legislative session. Except by report of the Committee on Rules, Resolutions, & Ethics, reviser's bills may be amended only by making deletions.

**103. Limitation on Bills Pending and Referred to Standing Committees—**

(a) A Member shall not be the first-named sponsor of more than eight bills or committee substitutes therefor under consideration, nor more than four bills referred to standing or select committees at any time during the biennial term of the Legislature. For the purpose of this Rule, bills that have passed the House, have been withdrawn from further consideration, or have been laid on the table shall not be considered "under consideration" or "referred" to a standing committee. A bill that has been reported unfavorably from a committee or which has passed all committees of reference shall not be considered "referred" to a standing committee for the purpose of this Rule.

(b) Bills which shall not be counted toward these limits include: (1) local bills, (2) memorials, (3) House resolutions, (4) trust fund bills or open records bills adhering to another bill, (5) bills introduced by a committee under Rule 76, and (6) bills that passed the House and were carried over from the first to the second session of a term.

**104. Request for Reference—**A Member may by written request to the Speaker, indicate the priority ranking of the Member's bills for reference to standing committees. If no such request is received by the Speaker, the Speaker may refer any four bills by the Member.

**IX. FLOOR PROCEDURE****CHAPTER A. Quorum and Attendance**

**105. Quorum—**A majority of the membership of the House shall constitute a quorum to do business.

**106. Leave of Absence—**

(a) No Member shall be absent from the sessions of the House without approval from the Speaker as provided in Rule 25.

(b) Any Member granted a leave of absence due to a meeting of a committee or conference committee that has authority to meet while the House is in session shall be so designated on each roll call for which that Member is excused. It shall be the responsibility of the excused Member to advise the Clerk when leaving and returning to the Chamber.

**CHAPTER B. Speaking and Debate**

**107. Addressing the House—**When a Member desires to speak or deliver any matter to the House, the Member shall rise and respectfully address the Speaker as “Mr. (or Madam) Speaker” and shall confine all remarks to the question under debate, avoiding personalities. Once recognized, a Member may speak from the Member’s desk or may, with the Speaker’s permission, speak from the well.

**108. When Two Members Rise at Once—**When two or more Members rise at once, the Speaker shall name the one who is to speak first. This decision shall be final and not open to debate or appeal.

**109. Recognition—**There shall be no appeal from the Speaker’s recognition, but the Speaker shall be governed by rules and usage in priority of entertaining motions from the floor. When a Member seeks recognition, the Speaker may ask, “For what purpose does the Member rise?” or “For what purpose does the Member seek recognition?”

**110. Time for Debate, Interruption of a Member who Has the Floor—**No Member shall speak more than once nor occupy more than 15 minutes in debate on any question. A Member who has the floor shall not be interrupted by another Member for any purpose, save the privilege of the House, unless he or she consents to yield to the other Member. A Member desiring to interrupt another in debate should first address the Speaker for the permission of the Member speaking. The Speaker shall then ask the Member who has the floor if he or she wishes to yield, and then announce the decision of that Member. Whether to yield shall be entirely within the speaking Member’s discretion.

**111. Right to Open and Close Debate—**The mover of any proposition, or the Member reporting any measure from a committee, or, in the absence of either of them, any other Member designated by such absentee, shall have the right to open and close the debate, and for this purpose may speak each time not more than 10 minutes unless otherwise limited by majority vote of the House.

**CHAPTER C. Voting**

**112. Taking the Yeas and Nays—**The Speaker shall declare all votes, but if any Member rises to doubt a vote, upon a showing of hands by five Members, the Speaker shall take the sense of the House by oral roll call or electronic roll call. When taking the yeas and nays on any question, the electronic roll-call system may be used, and when so used shall have the force and effect of a roll call taken as provided in these Rules. This system likewise may be used to determine the presence of a quorum. When the House is ready to vote upon a question requiring roll call, and the vote is by electronic roll call, the Speaker shall state: “The question now recurs on (designating the matter to be voted upon). The Clerk will unlock the machine and the House will proceed to vote.” When sufficient time has elapsed for each Member to vote, the Speaker shall say: “Have all Members voted?” And after a short pause shall state: “The Clerk will lock the machine and record the vote.” When the vote is completely recorded, the Speaker shall announce the result to the House, and the Clerk shall record the action upon the *Journal*.

**113. Changing of Vote—**After the result of a roll call has been announced, a Member may advise the Clerk of (1) how he would have voted or (2) his wish to change his vote. The Clerk shall provide forms for the recording of these actions. When timely made, these requests shall be shown beneath the roll call in the *Journal*. Otherwise, the request shall be shown separately in the *Journal*. In no instance, other than by reason of an electronic or mechanical malfunction, shall the result of a voting machine roll call on bills be changed.

**114. No Member to Vote for Another Except by Request—**No Member shall vote for another Member except at his request when absent from his seat but present elsewhere in the Chamber, nor shall any person not a Member cast a vote for a Member. In no case shall a Member vote for another on a quorum call. Any Member who shall vote or attempt to vote for another Member may be punished in such a manner as the House may deem proper. Any person not a Member who shall vote wrongfully in the place of a Member shall be excluded from the Chamber for the remainder of the session, in addition to such punishment as the House may deem proper.

**115. Pairing—**Pairing shall be permitted only upon the absence of a Member for good cause and shall be in writing and specifically state the bill or bills or questions upon which pairs are arranged. Before the vote, paired votes shall be filed in writing with the Clerk and be recorded in the *Journal* as an indication of how both the present and absent Member would have voted. Paired votes shall not be shown on roll calls. The present Member who pairs is not permitted to vote; however, should the present Member cast a vote, the pair shall be nullified.

**116. Explanation of Vote—**No Member shall be permitted to explain his vote during a roll call, but may reduce his explanation to writing, in not more than 200 words, and upon filing with the Clerk, this explanation shall be spread upon the *Journal*.

**X. ORDER OF BUSINESS AND CALENDARS**

**117. Daily Order of Business—**When the House convenes on a new Legislative day, the daily order of business shall be as follows:

1. Call to Order
2. Prayer
3. Roll Call
4. Pledge of Allegiance
5. Correction of the *Journal*
6. Communications
7. Messages from the Senate
8. Reports of Councils and Standing Committees
9. Reports of Select Committees
10. Motions Relating to Committee References
11. Matters on Reconsideration
12. Daily Folder
13. Unfinished Business
14. Introduction and Reference

**118. Consideration of Senate Messages: Generally—**Senate messages shall be considered by the House upon review and approval by the Speaker.

**119. Reference: Generally—**Bills, upon first reading, whether House or Senate, shall be referred by the Speaker, either to committee or to a calendar, as elsewhere provided in these Rules. The order of reference shall be first to substantive committees and then to appropriate committees within the Fiscal Responsibility Council. If a bill is referred to more than one fiscal responsibility committee, the Speaker shall declare which shall first consider the bill. References of bills and the nature of any documents referred shall be recorded in the *Journal*.

**120. Reference: Exception—**All bills, whether House or Senate, may be referred by the Speaker to the appropriate committees except for Senate bills, whose House companions are on a Council Calendar.

**121. Reference of Resolutions, Concurrent Resolutions: Exception—**All resolutions shall be referred by the Speaker to the Rules, Resolutions, & Ethics Committee, except that resolutions on House organization and concurrent resolutions pertaining to extension of the session, may be taken up upon motion and adopted at time of introduction without reference. Concurrent resolutions of a substantive nature shall first be referred to a committee with the appropriate jurisdiction.

**122. Reference of Local Bills—**General bills of local application and local bills shall be referred by the Speaker to the committee having general jurisdiction over local bills and, if a general bill of local

application, to one other substantive standing or select committee for procedural and substantive review.

**123. Reference of Appropriations or Tax Measures**—All bills carrying or affecting appropriations or mandating the expenditure of funds by county or city government, claims bills, and all bills affecting tax matters, whether state or local, may be referred to the appropriate committee within the Fiscal Responsibility Council, in addition to substantive committee referrals. If the original bill did not affect an appropriation, or affect a tax matter, and an amendment is adopted that calls for or affects a tax matter, then the bill with the amendment may, at the Speaker's discretion, be referred to the appropriate committee within the Fiscal Responsibility Council. The bill, if then reported favorably without further amendment, shall be returned to the same reading as when referred. If further amendments are recommended by committee, the bill shall be returned to second reading.

**124. Reading of Bills and Joint Resolutions**—Each bill or joint resolution shall receive three readings on three separate days previous to a vote upon final passage unless two-thirds of the Members decide otherwise. "Reading" means the stage of consideration of a bill or joint resolution after reading of sufficient of the title as necessary for identification as determined by the Speaker.

**125. Reading of Concurrent Resolutions and Memorials**—Concurrent resolutions and memorials shall receive two readings on two separate days previous to a voice vote upon adoption except that concurrent resolutions extending a legislative session may be read twice without motion on the same legislative day.

**126. Reading of House Resolutions**—Each House resolution shall receive two readings by title only previous to a voice vote upon adoption.

**127. Measures on Third Reading**—Upon the third reading of any bill, it shall not be committed (save to the appropriate committee within the Fiscal Responsibility Council as provided elsewhere in these Rules).

Bills on third reading shall be taken up in the order in which the House concluded action on them on second reading.

Before any bill shall be read the third time, whether amended or not, it shall be referred without motion to the Engrossing Clerk for examination and, if amended, the engrossing of amendments. In the case of any Senate bill amended in the House, the amendment adopted shall be reproduced in triplicate and attached to the bill amended in such manner that it will not be lost therefrom.

A bill shall be deemed on its third reading when it has been read a second time on a previous day and no motion left pending.

**128. System of Calendars—**

(a) Legislative business of the House shall be controlled by a system of calendars consisting of the following:

(1) Consent Calendar, on which shall appear only bills arranged by date of placement on the Consent Calendar that have passed all committees of reference unanimously or as provided under Rule 136. Two days shall have passed after notice was given of the pending placement of the bill on the Consent Calendar during which no Member has objected to the bill's placement on the Consent Calendar.

Except for amendments recommended by committees, no amendments to bills on the Consent Calendar shall be considered.

(2) Local Calendar, on which shall appear only bills of a local nature.

(3) Government Services Calendar, on which shall appear bills of the Governmental Services Council as ranked by the Council.

(4) Academic Excellence Calendar, on which shall appear bills of the Academic Excellence Council as ranked by the Council.

(5) Economic Impact Calendar, on which shall appear bills of the Economic Impact Council as ranked by the Council.

(6) Justice Calendar, on which shall appear bills of the Justice Council as ranked by the Council.

(7) Governmental Responsibility Calendar, on which shall appear bills of the Governmental Responsibility Council as ranked by the Council.

(8) General Calendar, on which shall appear bills of the Fiscal Responsibility Council as ranked by the Council, or other matters as determined by the Speaker.

(9) Procedural Council Calendar, on which shall appear bills, resolutions, joint resolutions, memorials, and concurrent resolutions of the Procedural Council as ranked by the Council.

(10) Ceremonial Resolutions Calendar, on which shall appear congratulatory and commemorative resolutions whose sole intent is to congratulate, commend, recognize, or otherwise express concern or commendations as set by the Committee on Rules, Resolutions, & Ethics.

(b) Each calendar may be considered as set forth in these Rules for the time allowed for each calendar. The Speaker shall strictly enforce this system of calendars and set the appropriate calendars for consideration by the House at such times and for such duration as the needs of the House dictate. All scheduling of calendars will be with proper notice to the Members and public as set forth in these Rules except the Ceremonial Resolutions Calendar, the Consent Calendar, the Resolutions Calendar, and the Local Calendar may be considered as set forth in Rules 129, 130, and 131.

**129. Consideration of Ceremonial Resolutions Calendars**—The Committee on Rules, Resolutions, & Ethics shall prepare and distribute to each Member a printed Ceremonial Resolutions Calendar at least 24 hours in advance of the hour set for consideration. No ceremonial resolution may be considered by the House unless favorably reported by the Committee on Rules, Resolutions, & Ethics. If the Committee on Rules, Resolutions, & Ethics finds a resolution inappropriate for placement on the Ceremonial Resolutions Calendar, the Speaker shall be so advised and shall refer the measure to the appropriate committee for consideration. A Ceremonial Resolutions Calendar will contain the resolution number, the sponsor's name, and a brief description of the title of the resolution. Once a printed calendar is distributed, no additional resolutions shall be added to it.

**130. Consideration of Local and Consent Calendars**—The Committee on Rules, Resolutions, & Ethics shall prepare and distribute to each Member a printed local or consent calendar at least two days in advance of consideration. Once a printed calendar is distributed, no additional bills or resolutions will be added to it.

**131. Procedure for Consideration of Local, Consent, and Ceremonial Resolutions Calendars**—During the consideration of Local, Consent, and Ceremonial Resolutions Calendars the following procedures shall be observed:

(a) The Speaker shall allow not more than three minutes on each reading for the consideration of a measure.

(b) Any bill on the Local Calendar found not to be local, as defined by the Rules, shall be removed from the pending Calendar and returned to the appropriate Council Calendar.

(c) If any bill or resolution on a Local, Consent, and Ceremonial Resolutions Calendar is to be contested on the floor of the House, the Speaker shall cause the bill to be removed from the pending Calendar and returned to the appropriate Council Calendar, except that a bill on the Local or Consent Calendar on which second reading has been concluded shall not be subject to contest or removed by debate in excess of three minutes.

(d) Any bill or resolution on a Local, Consent, or Ceremonial Resolutions Calendar shall be considered contested if notice is given by five or more Members indicating they intend to oppose the bill or resolution, either by a raising of hands or by the delivery of written

notice of contest to the Chair of the Committee on Rules, Resolutions, & Ethics.

(e) Any bill or resolution on a Local, Consent, and Ceremonial Resolutions Calendar shall be considered contested if debate exceeds three minutes. The Speaker shall strictly enforce this time limit and automatically strike the bill from the pending Calendar if the time limit herein imposed is exceeded. Any bills so stricken shall be placed on the appropriate Council Calendar of bills available for ranking.

(f) If any bill, local bill, or resolution on the Consent Calendar is contested, whether formally or by exceeding the time limit for debate, the bill or resolution shall be stricken from such calendar and automatically placed on the appropriate Council Calendar for ranking.

**132. Daily Folder**—The Speaker shall set a Daily Folder consisting of Calendars designated for consideration during assigned time periods. On each Calendar, ranked business shall be considered in the following order of precedence:

- (a) bills and joint resolutions on third reading and
- (b) bills and joint resolutions on second reading.

Consideration of a Council Calendar of a certain day may be continued if unaltered as to rankings on the same or a later legislative day upon two hours notice by the Speaker.

During the first 45 days of a regular session, the Speaker shall give notice of the Daily Folder not less than one legislative day before its consideration by the House.

**133. Notice of Consideration of Council Calendars and Lists of Items Eligible for Consideration**—

(a) Each council calendar shall be made available to each Member at least three days, if convened in regular session, and 24 hours, if convened in special session, before the calendar may be considered by the House.

(b) In addition, when the volume of legislation shall warrant, and upon request of the Speaker, the Clerk shall make available to the Members, a list of Items Eligible for Consideration, on which shall appear only:

- (1) Senate messages that are in the possession of the House;
- (2) Bills on which the Senate has requested appointment of a conference committee;
- (3) Conference committee reports; and
- (4) Senate bills residing on a Calendar.

(c) A copy of the list of Items Eligible for Consideration must be made available to each Member at least two hours before the list may be considered by the House.

(d) The date and time on which the copies of a calendar or list were made available to Members shall be stamped on the originals of the calendar or list.

**134. Position on a Calendar**—Once a bill or resolution is placed on its appropriate calendar under these Rules, and appears on a House Calendar, as printed and distributed to all Members, the bill shall retain its relative position on the Calendar when the Calendar is scheduled for floor consideration in the daily folder unless a subsequent report is received that supersedes a ranking or calendar.

**135. Requirements for Placement on a Calendar**—No measure shall be placed on a calendar until it has been reported favorably by each committee of reference. All bills and resolutions, on being reported from the last committee of reference, shall be placed before the appropriate council for ranking except as provided in Rules 129, 130, and 131.

**136. Request for Placement on Local, Consent, or Ceremonial Resolutions Calendar**—Except as provided in Rule 69, no bill or resolution shall be considered for placement on a Local, Consent, or

Ceremonial Resolutions Calendar unless a request for that placement has been made to and approved by the chair of the committee from which the bill or resolution was first reported. The recommendation of the chair shall be advisory only, and the Committee on Rules, Resolutions, & Ethics shall have final authority to determine whether a bill or resolution shall be placed on a Local, Consent, or Ceremonial Resolutions Calendar. If the Committee on Rules, Resolutions, & Ethics determines that a bill or resolution is not appropriate for placement on a Local, Consent, or Ceremonial Resolutions Calendar, the measure shall be ranked in accordance with Rule 46.

**137. Consideration Limits to Bills After Day 55**—After the 55th day of a regular session, no House bills on second reading shall be taken up and considered by the House.

**138. Consideration Limits After Day 58**—After the 58th day of a regular session, the House shall consider only:

1. Senate Messages
2. Conference Reports
3. Concurrent Resolutions

## XI. PARLIAMENTARY PROCEDURE

### CHAPTER A. Motions and Questions

**139. Precedence of Motions During Debate**—When a question is under debate, the Speaker shall receive no motion except:

1. To adjourn at a time certain;
2. To adjourn;
3. To recess to a time certain;
4. To lay on the table;
5. To reconsider;
6. For the previous question;
7. To limit debate;
8. To temporarily postpone;
9. To postpone to a time or day certain;
10. To refer to or to recommit to committee;
11. To amend;
12. To postpone indefinitely; and
13. To amend by striking out the enacting or resolving clause;

which several motions shall have precedence in the descending order given.

**140. Questions of Order Decided Without Debate**—All incidental questions of order, arising after a motion is made for any of the questions named in Rule 139 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

**141. Division of Question**—Any Member may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

**142. Speaker Explains Order of Business**—The Speaker may, at his or her discretion, or upon the motion of any Member, explain the order of business when the motion pending before the House is not debatable. That explanation shall not consume more than two minutes.

**143. To Recess to a Time Certain**—A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that the motion is debatable when no business is before the House, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

**144. To Lay on the Table**—A motion to lay on the table is not debatable and cannot be amended, provided that before the motion is put, the sponsor of a bill or debatable motion shall be allowed five minutes within which to discuss the same, and may divide the time with, or waive this right in favor of, some other Member. A motion to table a main question requires a majority vote. A motion to lay an amendment on the table, if adopted, does not carry with it the measure to which it adheres. A motion to lay an amendment on the table may be adopted by a majority vote.

**145. Reconsideration**—When a motion or main question has been made and carried or lost it shall be in order at any time as a matter of right on the same or succeeding legislative day for a Member voting with the prevailing side, or for any Member in the case of a voice or tie vote, to move for reconsideration thereof. When a majority of Members vote in the affirmative but the proposition be lost because it is one in which the concurrence of a greater number than a majority is necessary for adoption or passage, any Member may move for a reconsideration. No bill referred or recommitted to a committee, by a vote of the House, shall be brought back into the House on a motion to reconsider. The motion to reconsider shall require a majority vote for its adoption, and such motion shall not be renewed on any proposition after once being considered by vote of the House except by unanimous consent. Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. Where debate upon a motion to reconsider is in order, no Member shall speak thereon more than once nor for a longer period than five minutes. The adoption of a motion to reconsider a vote upon any secondary matter shall not remove the main subject under consideration from consideration of the House. A motion to reconsider a collateral matter must be disposed of at once during the course of the consideration of the main subject to which it is related and such motion shall be out of order after the House has passed to other business.

The Clerk shall retain possession of all bills and joint resolutions for the period after passage during which reconsideration may be moved; however, during the last 14 calendar days allowed under the Constitution for a regular session and during any extensions thereof, or during any special session, these shall be transmitted to the Senate forthwith.

The adoption of a motion to suspend the Rules and immediately certify any bill to the Senate shall be construed as releasing the measure from the Clerk's possession for the period of reconsideration. Bills either on the Local Calendar or passed as local bills and concurrent resolutions and memorials shall be transmitted to the Senate without delay. Messages relating to procedural motions, House action on Senate amendments, or to conference committee reports shall be transmitted forthwith.

All bills, when transmitted to the Senate, shall be accompanied by a message stating the title to the bill and asking the concurrence of that body.

**146. Previous Question**—

(a) The previous question may be asked and ordered upon any debatable single motion, or series of motions, or any amendment pending, and the effect thereof shall be to conclude all action on the same day. If third reading is reached on another day, the order for the previous question must be renewed on that day.

(b) The motion for the previous question shall be decided without debate. If the motion prevails, the sponsor of a bill or debatable motion and an opponent shall be allowed three minutes each within which to discuss the same, and each may divide the time with, or waive this right in favor of, some other Member. The motion for the previous question shall be put in the following form: "Shall the main question be now put?"

(c) If the motion for the previous question be adopted, the sense of the House shall be taken forthwith on pending amendments and the main question in the regular order. If amendments have been adopted, the regular order shall include adoption of title amendments.

(d) The motion for the previous question may not be made by the sponsor or mover.

**147. A Motion to Temporarily Postpone**—The motion to temporarily postpone shall be decided without debate and shall cause a measure to be set aside but retained on the desk. If a main question has been temporarily postponed after having been debated or after motions have been applied and is not brought back before the House on the same legislative day, it shall be placed in unfinished business on the calendar of the appropriate Council. If a main question is temporarily postponed before debate has commenced or motions have been applied, its reading

shall be considered a nullity and the bill shall retain its original position on the order of business. The motion to return to consideration of a temporarily postponed main question shall be made under the proper order of business when no other matter is pending. If applied to a collateral matter, the motion to temporarily postpone shall not cause the main question to be carried with it. After having been temporarily postponed, if a collateral matter is not brought back before the House in the course of consideration of the adhering or main question, it shall be deemed abandoned.

**148. Motion to Amend**—

(a) Amendments shall be stored on the legislative computer in a format approved by the Clerk.

(b) Title amendments, if required, may be set forth on the same form below the body of an amendment.

(c) The sponsor of an amendment shall file with the Clerk a printed original of the amendment, which shall be free of interlineations and which shall include as a part of its original printed text the name of the sponsor, the bill number, and the page and line to be amended. Amendment cosponsors may be added on forms provided by the Clerk.

(d) Amendments shall be taken up only as sponsors gain recognition from the Speaker to move their adoption, except that the chair of the committee (or in the absence of the chair, the vice chair or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments.

(e) Upon motion, committee amendments may be adopted *en bloc*.

(f) The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The Speaker shall, in recognizing Members for the purpose of moving the adoption of amendments, endeavor to cause all amendments to Section 1 to be considered first, then all those to Section 2, and so on.

(g) For the purpose of this Rule, an amendment shall be deemed pending only after its proposer has been recognized by the Speaker and has moved its adoption.

(h) No Member floor amendment shall be considered unless a printed original of the amendment has been delivered to the Clerk in the required form prior to 4:00 p.m. of the day, excluding Saturday and Sunday, preceding the daily session at which the sponsor seeks to offer the amendment. No amendment to the amendment or substitute amendment shall be offered unless a printed original of the amendment to the amendment or substitute amendment has been delivered to the Clerk not later than 5:00 p.m. of the day, excluding Saturday and Sunday, preceding the daily session at which the sponsor seeks to offer the main amendment. By a majority vote, the time limitation for filing any amendment may be waived.

(i) A motion to amend is in order during the second or third reading of any bill. Amendments proposed on third reading shall require a two-thirds vote for adoption, except that technical amendments introduced in the name of the Committee on Rules, Resolutions, & Ethics shall require a majority vote for adoption.

(j) Appropriations Amendments—Whenever an amendment is offered to a general appropriations bill which would increase any line item of said bill, such amendment shall show the amount by line item of the increase and shall, from within the jurisdiction of the same fiscal standing committee, decrease a line item or items in an amount equivalent to or greater than the increase required by the amendment.

(k) After the reading of a Senate amendment to a House bill the following motions shall be privileged in the order named: (1) amend the Senate amendment by a concurrence of the majority required for the final passage of the bill, or (2) concur in the Senate amendment by a concurrence of the same majority required for the final passage of the bill, or (3) refuse by the majority of the required quorum to concur and ask the Senate to recede, or (4) request the Senate to recede and, failing

to do so, to appoint a conference committee to meet with a like committee appointed by the Speaker.

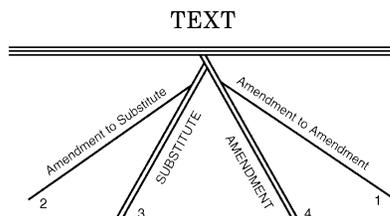
(l) Senate Refusal to Concur in House Amendment. If the Senate shall refuse to concur in a House amendment to a Senate bill, the following motions shall be in order and shall be privileged in the order named: (1) that the House recede, or (2) that the House insist and ask for a conference committee, or (3) that the House insist.

(m) The Speaker may, upon determining that a Senate amendment substantially changes the bill as passed by the House, refer the Senate message, with the bill and Senate amendment(s), to an appropriate House committee(s) for review and report to the House. The Speaker, upon such reference, shall announce the date and time for the committee(s) to meet. The committee(s) shall report to the House the recommendation for disposition of the Senate amendment(s) under one of the four options presented in subsection (k) of this Rule. The report shall be given to the House, either in writing or orally, by the chair of the reporting committee.

(n) A motion for reconsideration of an amendment on third reading requires a two-thirds vote for adoption.

**149. To Amend by Striking Out Enacting or Resolving Clause**—An amendment to strike out the enacting or resolving clause of a bill shall, if carried, be considered as equivalent to rejection of the bill by the House.

**150. Sequence of Amendments to Amendments**—An amendment to a pending amendment may be received, but until it is disposed of no other motion to amend will be in order except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted upon before the substitute is taken up. Only one amendment to the amendment is in order at a time. (2) Amendments to the substitute are next voted on. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment of the bill itself.



**151. Germanity of House Amendments**—The House shall not consider an amendment which relates to a different subject or is intended to accomplish a different purpose than that of the pending question or which, if adopted and passed, would require a title amendment for the proposal which is substantially different from the proposal's original title or which would unreasonably alter the nature of the proposal.

(a) The Speaker shall rule on the admissibility of any amendment when the question of germanity is timely raised.

(b) House amendments which are not germane include:

- (1) A general proposition amending a specific proposition.
- (2) An amendment: a) amending a statute or session law when the purpose of the bill is limited to repealing such law; or b) repealing a statute or session law when the purpose of the bill is limited to amending such law.
- (3) An amendment which substantially expands the scope of the bill.
- (4) An amendment to a bill when legislative action on that bill is by law or these Rules limited to passage, concurrence, indefinite postponement, or nonconcurrence as introduced.

(c) Amendments which are germane include:

- (1) A specific provision amending a general provision.
- (2) An amendment which accomplishes the same purpose in a different manner.
- (3) An amendment limiting the scope of the proposal.
- (4) An amendment providing appropriations necessary to fulfill the original intent of a proposal.
- (5) An amendment relating only to clarification of details.
- (6) An amendment which changes the effective date of a repeal, reduces the scope of a repeal, or adds a short-term nonstatutory transitional provision to facilitate repeal.
- (d) An amendment of the second degree or a substitute amendment must be germane to both the main amendment and the measure to which it adheres.
- (e) An amendment shall be out of order which incorporates the principal substance of a bill introduced in the House.
- (f) Nothing herein shall prohibit a committee from combining two or more bills into a committee substitute.

**152. Motion to Postpone Indefinitely**—Motions to indefinitely postpone shall be applicable only to a main question. The adoption of a motion to indefinitely postpone a bill shall dispose of such bill for the duration of the legislative session and all extensions thereof. Any motion to postpone consideration to a time beyond the last day allowed under the Constitution for the current legislative session shall be construed as a motion to indefinitely postpone.

**153. Dilatory Motions**—No dilatory or delaying motions shall be entertained by the Speaker.

**154. Motions in Writing**—Upon request of the Speaker, all motions shall be reduced to writing and shall be read to the House by the Speaker before being acted upon.

**155. Withdrawal of Motions**—After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Clerk, it is in the possession of the House and may not be withdrawn without leave.

**156. Motions to Withdraw or Refer Bills**—

(a) Any Member may, no later than under the order of business of Motions Relating to Committee References on the legislative day following reference of a bill, move for reference to a different committee, which shall be decided by a majority vote.

(b) A motion to withdraw a bill or resolution from committee, or to refer a bill or resolution from one committee to another committee other than as provided in paragraph (a), may be made during the regular order of business and shall require an affirmative vote of two-thirds.

(c) A motion to refer shall only be debated as to the propriety of the reference.

**157. Recommittal of Measures on File**—A motion to recommit a bill or resolution that is on the House Daily Folder to committee may be made during the regular order of business. The motion shall only be debatable as to the propriety of that reference and shall require an affirmative majority vote of the Members.

**XII. DUE PROCESS PROCEDURES—COMPLAINTS**

**158. Complaints of Violations of the Standards of Conduct By Members and Officers of the House; Procedure**—

(a) Filing of Complaints. The Chair of the Rules, Resolutions, & Ethics Committee shall receive and initially review allegations of improper conduct that may reflect upon the House, violations of law, violations of the House Code of Conduct, and violations of the Rules and regulations of the House relating to the conduct of individuals in the performance of their duties as Members or officers of the House.

Complaints of improper conduct against the Chair of the Rules, Resolutions, & Ethics Committee shall be reviewed and managed by the Speaker or, if designated by the Speaker, the Speaker pro tempore.

(1) Review of Complaints. The Chair of the Rules, Resolutions, & Ethics Committee shall review each complaint submitted to the Rules, Resolutions, & Ethics Committee relating to the conduct of a Member or officer of the House.

(2) Complaints.

a. A complaint shall be in writing and under oath, setting forth in simple, concise statements the following:

1. the name and legal address of the party filing the complaint (complainant);

2. the name and position or title of the Member or officer of the House of Representatives (respondent) alleged to be in violation of the House Code of Conduct or a law, rule, regulation, or other standard of conduct;

3. the nature of the alleged violation based upon the personal knowledge of the complainant, including, if possible, the specific section of the House Code of Conduct or law, rule, regulation, or other standard alleged to have been violated; and

4. the facts alleged to give rise to the violation.

b. All documents in the possession of the complainant that are relevant to, and in support of, the allegations shall be attached to the complaint.

(3) Processing Complaint and Preliminary Findings.

a. Upon the filing of a complaint, the Chair shall within five (5) working days notify the Member or officer against whom the complaint has been filed and give such person a copy of the complaint. Within twenty (20) days, the Chair shall take the necessary actions as provided in subparagraphs b.-g. below.

b. The Chair shall examine each complaint for jurisdiction and for compliance with paragraph (a)(2) of this Rule.

c. Should the Chair determine that a complaint does not comply with said Rule, the complaint shall be returned to the complainant with a general statement that the complaint is not in compliance with said Rule and with a copy of the Rule. A complainant may resubmit a complaint provided such complaint is resubmitted prior to the expiration of the time limitation set forth in subsection (o) of this Rule.

d. Should the Chair determine that the verified complaint does not allege facts sufficient to constitute a violation of any of the provisions of the House Code of Conduct, or a law, rule, regulation, or other standard of conduct, the Chair shall dismiss the complaint and notify the complainant and the respondent of such action.

e. Should the Chair determine that the complaint is outside the jurisdiction of the House, the Chair shall dismiss the complaint and notify the complainant and the respondent of such action.

f. Should the Chair determine that a violation is inadvertent, technical, or otherwise of a *de minimis* nature, the Chair may attempt to correct or prevent such a violation by informal means.

g. Should the Chair determine that such a complaint does allege facts sufficient to constitute a violation of any of the provisions of the House Code of Conduct, or a law, rule, regulation, or other standard of conduct, and that the complaint is not *de minimis* in nature, the Chair shall within 20 days transmit a copy of the complaint to the Speaker and, in writing, request the appointment of a Probable Cause Panel or Special Master regarding the complaint. A copy of the letter shall be provided to the complainant and the respondent.

(4) Withdrawal of Complaints. A complaint may be withdrawn at any time.

(b) Probable Cause Panel or Special Master.

(1) Creation. Whenever the Speaker receives a copy of a complaint and request made pursuant to subsection (a) of this Rule, the Speaker shall, within twenty (20) days, either (1) appoint a Probable Cause Panel (the panel) consisting of an odd number of members or (2) appoint a Special Master. If the Speaker appoints a Probable Cause Panel, the Speaker shall also appoint one member of the panel as its chair. The Speaker may appoint up to two additional persons who are not Members of the House to serve as nonvoting, public members of a Probable Cause Panel.

(2) Powers and Duties. The members of the panel or the Special Master shall have the following powers and duties:

a. investigate complaints and make appropriate findings of fact promptly regarding allegations of improper conduct sufficient to establish probable cause of violations of law, violations of the House Code of Conduct and violations of rules and regulations of the House relating to the conduct of individuals in the performance of their duties as Members or as officers of the House;

b. based upon the investigation by the Special Master or the panel, make and report findings of probable cause to the Speaker and to the House as it relates to the complaint which occasioned the appointment of the Probable Cause Panel or the Special Master;

c. recommend to the Rules, Resolutions, & Ethics Committee such additional rules or regulations as the Probable Cause Panel or the Special Master shall determine as necessary or desirable to ensure proper standards of conduct by Members and officers of the House of Representatives in the performance of their duties and the discharge of their responsibilities;

d. adopt rules of procedure as appropriate to its needs.

(3) Quorum.

A quorum of a Probable Cause Panel, when appointed, shall consist of a majority of the members of the panel. All action by a Probable Cause Panel shall require the concurrence of a majority of the full panel.

(4) Term. A Probable Cause Panel or Special Master, as appropriate, shall serve until the complaint which occasioned the appointment of the panel or the Special Master has been dismissed or until a finding of probable cause has been transmitted to the Speaker.

(c) Preliminary Investigation and Probable Cause Finding.

(1) Preliminary Investigation.

a. The Probable Cause Panel or the Special Master shall provide the respondent an opportunity to present to the panel, the Special Master, or staff of the panel, orally or in writing, a statement addressing the allegations.

b. The panel, Special Master, or the staff of the panel may interview witnesses and examine documents and other evidentiary matters.

c. The panel or Special Master may order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the chair or any other member of the panel, by the Special Master, or by any person authorized by law to administer oaths.

d. The panel or Special Master may require, by subpoena issued pursuant to these Rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.

(2) Probable Cause Finding.

a. Panel Findings

1. The panel, by a recorded vote of a majority of the full panel, or the Special Master, as appropriate, shall determine whether there is probable cause to conclude that a violation within the jurisdiction of the panel or the Special Master has occurred.

2. Should the panel or Special Master, as appropriate, find that probable cause does not exist, the panel or Special Master shall dismiss the complaint and notify the complainant and the respondent of its determination.

3. Should the panel or Special Master, as appropriate, determine that probable cause exists to believe that a violation occurred but that the violation, if proven, is neither of a *de minimis* nature nor sufficiently serious to justify expulsion, censure, or reprimand, the panel or Special Master may recommend an appropriate, lesser penalty or may resolve the complaint informally. If the respondent agrees, a summary of the panel's conclusions or Special Master's conclusions, as is appropriate, shall be published in the House *Journal* and the agreed penalty shall be imposed. Should the panel or Special Master be unable to satisfactorily settle the complaint, the complaint shall be subject to a full evidentiary hearing before the Select Committee on Standards of Official Conduct pursuant to subsection (d) of this Rule.

4. Should the panel or Special Master determine that probable cause exists to believe that a violation occurred and that, if proven, would be sufficiently serious to justify expulsion, censure, or reprimand, the panel or Special Master shall cause to be transmitted to the respondent a Statement of Alleged Violation. The statement shall be divided into counts, and each count shall be related to a separate violation and shall contain a plain and concise statement of the alleged facts of such violation, including a reference to the provision of the House Code of Conduct or law, rule, regulation, or other standard of conduct alleged to have been violated. A copy of the statement shall also be transmitted to the Speaker.

b. Collateral Proceedings. Should the complaint against a Member or officer of the House have been the subject of action before any other body, the panel or Special Master may forward the complaint directly to a hearing pursuant to subsection (d) of this Rule.

(d) Hearing.

(1) Select Committee on Standards of Official Conduct. Upon receipt by the Speaker of a Statement of Alleged Violation, the Speaker shall appoint, within twenty (20) days, a Select Committee on Standards of Official Conduct (the select committee) to hold hearings regarding the statement and make a recommendation for disciplinary action to the full House. Upon the receipt by the Speaker of a complaint and findings by the Commission on Ethics regarding a Member of the House, the Speaker shall appoint, within twenty (20) days, a Select Committee on Standards of Official Conduct to hold hearings to determine whether or not a violation has occurred and, if so, to make a recommendation for disciplinary action to the full House.

(2) Hearing. A hearing regarding a violation charged in a Statement of Alleged Violation or in a complaint and findings by the Commission on Ethics shall be held promptly to receive evidence upon which to base findings of fact and recommendations, if any, to the House respecting such violation.

a. Chair. The chair of the select committee or other member presiding at a hearing shall rule upon any question of admissibility of testimony or evidence presented to the select committee. Rulings shall be final unless reversed or modified by a majority vote of the members of the select committee. Should the select committee appoint a referee pursuant to subsection (i) of this Rule, the referee shall make all evidentiary rulings.

b. Referee. The select committee shall serve as referee for all proceedings under these Rules, unless the select committee retains an independent referee pursuant to subsection (i) of this Rule.

c. Prosecutor. The select committee's staff shall serve as a legal advisor to the committee. The select committee may retain independent counsel pursuant to subsection (j) of this Rule to serve as prosecutor in all proceedings conducted under these Rules.

d. Respondent's Rights. The respondent shall have the right to be represented by legal counsel, to call witnesses, to introduce exhibits, and to cross-examine opposing witnesses. The respondent or respondent's

counsel shall be permitted to take the deposition of the complainant in accordance with subparagraph (d)(3)a.3.

e. Complainant's Rights. The complainant is not a party to any part of the complaint process or these proceedings. The complainant has no standing to challenge these Rules or procedures and has no right to appeal. The complainant may submit a list of witnesses or questions for the select committee's consideration to assist in its preparation for the hearing.

(3) Procedures.

a. Procedure and Evidence.

1. Procedure. The select committee may adopt rules of procedure as appropriate to its needs.

2. Evidence. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. However, hearsay evidence may not be used unless same would be admissible under the Florida Rules of Evidence and it shall not be sufficient in itself to support a factual finding unless it would be admissible over objection in civil actions.

3. Discovery. Discovery may be permitted upon motion, which shall state the reason therefor. Discovery shall be in accordance with the Florida Rules of Civil Procedure, but may be limited in time, scope, and method by the chair or the referee.

4. Testimony. The select committee shall order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the chair or a member of the select committee, by any referee appointed pursuant to subsection (i) of this Rule, or by any person authorized by law to administer oaths.

5. Subpoenas. The select committee may require, by subpoena issued pursuant to these Rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.

b. Order of Hearing. The order of the full hearing before the select committee or the referee shall be as follows:

1. The chair or the referee shall open the hearing by stating the select committee's authority to conduct the hearing, the purpose of the hearing, and its scope.

2. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order whenever possible: (i) witnesses and other evidence offered by the independent counsel; (ii) witnesses and other evidence offered by the respondent; and (iii) rebuttal witnesses. (The select committee may call witnesses at any time during the proceedings.)

3. Witnesses at the hearing shall be examined first by the independent counsel. The respondent or the respondent's counsel may then cross-examine the witnesses. The members of the select committee may then question the witnesses. Redirect and recross may be permitted in the chair's or the referee's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or the respondent's counsel, and then may be cross-examined by the independent counsel. Members of the select committee may then question the witness. Redirect and recross may be permitted in the chair's or the referee's discretion. (Participation by the select committee at the hearing stage is at the sole discretion of the select committee and is not mandatory.)

(4) Burden of Proof. At the hearing, the burden of proof rests on the appointed independent counsel to establish the facts alleged by clear and convincing evidence with respect to each count.

## (e) Committee Recommended Order.

(1) Committee Deliberations. As soon as practicable, the select committee shall consider each count contained in a statement of alleged violation or in a complaint and findings, as the case may be. A count shall not be proven unless at least a majority of the select committee votes for a motion that the count has been proved. A count that is not proved shall be considered as dismissed by the select committee.

(2) Dismissal of Complaint. After the hearing, the select committee shall, in writing, state its findings of fact. If the select committee finds that the respondent has not violated any of the provisions of the House Code of Conduct, or a law, rule, regulation, or other standard of conduct, it shall order the action dismissed and shall notify the respondent and the complainant of such action.

## (3) Recommended Order.

a. Recommended Order. If the select committee finds that the respondent has violated any of the provisions of the House Code of Conduct, or a law, rule, regulation, or other standard of conduct, it shall, in writing, state its findings of fact and submit a report to the House. A copy of the report shall be sent to the respondent and the complainant and shall be published in the House *Journal*.

b. Penalty. With respect to any violation with which a Member or officer of the House is charged in a count that the select committee has voted as proved, the select committee may recommend to the House that the Member or officer be fined, censured, reprimanded, placed on probation or expelled, as appropriate, or may recommend such other lesser penalty as may be appropriate.

## (f) Proposed Recommended Order.

(1) Referee. When a hearing is conducted by referee, as provided in subsection (i) of this Rule, the referee shall prepare a proposed recommended order and file it, together with the record of the hearing, with the select committee. Copies of the proposed recommended order shall be served on all parties.

(2) Proposed Recommended Order. The proposed recommended order will contain the time and place of the hearing, appearances entered at the hearing, issues, and proposed findings of fact and conclusions of law.

(3) Exceptions. The respondent and the independent counsel may file written exceptions with the select committee in response to a referee's recommended order. Exceptions shall be filed within twenty (20) days after service of the recommended order unless such time is extended by the referee or the chair of the select committee.

(4) Recommended Order. The select committee shall deliberate and render a recommended order pursuant to the provisions of subsection (e) of this Rule.

(g) Consent Decrees. At any stage of the proceedings, the respondent and the select committee may agree to a consent decree. The consent decree shall state findings of fact and shall be published in the House *Journal*. The consent decree shall contain such penalty as may be appropriate. Should the House accept the consent decree, the complaint pursuant to these proceedings shall be resolved. Should the House not accept the consent decree, the proceedings before the select committee shall resume.

(h) Confidentiality. Any material provided to the House in response to a complaint filed under this Rule which is confidential under applicable law shall remain confidential and shall not be disclosed except as authorized by applicable law. Except as otherwise provided in this section, a complaint and the records relating to a complaint shall be available for public inspection upon the dismissal of a complaint by the Chair of the Committee on Rules, Resolutions, & Ethics, a determination as to probable cause or informal resolution of a complaint by a Special Master or panel, or the receipt by the Speaker of a request in writing from the respondent that the complaint and other records relating to the complaint be made public records.

(i) Referee. The Select Committee on Standards of Official Conduct may, in its discretion and with the approval of the Speaker, employ a referee to preside over the proceedings, to hear testimony, and to make findings of fact and recommendations to the select committee concerning the disposition of complaints.

(j) Independent Counsel. The Select Committee on Standards of Official Conduct is authorized to retain and compensate counsel not regularly employed by the House, as authorized by the Speaker.

(k) Attorney's Fees. When a Probable Cause Panel or a Special Master finds that probable cause does not exist or the select committee finds that the respondent has not violated any of the provisions of the House Code of Conduct or a law, rule, regulation, or other standard of conduct, the panel or Special Master or the select committee may recommend to the Speaker that the reasonable attorney's fees and costs incurred by the respondent be paid by the House. Payment of such reasonable fees and costs shall be subject to the approval of the Speaker.

(l) Eligibility; Speaker of the House. In the event that any allegation under this Rule involves the conduct or activities of the Speaker, the duties of the Speaker pursuant to this Rule shall be transferred to the Speaker pro tempore.

## (m) Collateral Actions.

(1) Criminal Actions. Any criminal complaints relating to Members shall be governed by these Rules.

(2) Commissions or Quasi-Judicial Agencies with Concurrent Jurisdiction. Should a complaint against a Member or an officer of the House be filed with a commission or quasi-judicial agency with concurrent jurisdiction, the Chair of the Rules, Resolutions, & Ethics Committee, a Probable Cause Panel or a Special Master, and the Select Committee on Standards of Official Conduct shall have the discretion to refrain from processing a similar complaint until such commission or quasi-judicial agency has completed its review of the matter. Should such a complaint be filed initially with the Chair of the Rules, Resolutions, & Ethics Committee and subsequently filed with a commission or quasi-judicial agency with concurrent jurisdiction, the Chair of the Rules, Resolutions, & Ethics Committee, the panel or Special Master, and the select committee shall have the discretion to suspend their proceedings until such commissions or agencies have completed their review of the matter.

(n) *Ex Parte* Communications.

(1) A Special Master or a member of a Probable Cause Panel or of a Select Committee on Standards of Official Conduct shall not initiate or consider any *ex parte* communication relative to the merits of a pending complaint proceeding by:

a. any person engaged in prosecution or advocacy in connection with the matter; or

b. a party to the proceeding or any person who, directly or indirectly, would have a substantial interest in the action of the panel, Special Master or select committee, or their authorized representatives or counsel.

(2) Except when acting within their official capacity as a Special Master or as a member of a panel or select committee, a Special Master or a member of a Probable Cause Panel or of a Select Committee on Standards of Official Conduct shall not comment upon or discuss with any other person the matters which occasioned the appointment of the Special Master, panel or select committee during the pendency of proceedings held pursuant to this Rule before the Special Master, panel or select committee. This section shall not apply to communications initiated or considered by the Special Master or the chair of the panel or select committee relating to a settlement pursuant to subparagraph (c)(2)a.3. of this Rule or to a consent decree authorized pursuant to subsection (g) of this Rule.

## (o) Time Limitations.

(1) On or after the effective date of these Rules, all sworn complaints alleging violations of the House Code of Conduct, including violations of

law or violations of the rules and regulations of the House, shall be filed with the Rules, Resolutions, & Ethics Committee within two (2) years of the alleged violation.

(2) A violation of the House Code of Conduct is committed when every element of the Rule has occurred and time starts to run on the day after the violation occurred.

(3) The applicable period of limitation is tolled on the day a sworn complaint against the Member or officer is filed with the Rules, Resolutions, & Ethics Committee. If it can be concluded from the face of the complaint that the applicable period of limitation has run, the allegations shall not be considered a complaint for the purpose of requiring action by the Chair of the Rules, Resolutions, & Ethics Committee. The complaint and all material related thereto shall remain confidential.

**159. Penalties for Violations**—Separately from any prosecutions or penalties otherwise provided by law, any Member of the House determined to have violated the foregoing requirements of these Rules shall be fined, censured, reprimanded, placed on probation, or expelled, or have such other lesser penalty imposed as may be appropriate. Such determination and disciplinary action shall be taken by a two-thirds vote of the House, except that expulsions shall require two-thirds vote of the membership, upon recommendation of the select committee so designated under Rule 158.

#### **160. Lobbyists—**

(a) **Obligations of a Lobbyist.** A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view which the lobbyist openly declares. A lobbyist shall not offer or propose anything which may reasonably be construed to improperly influence the official act, decision, or vote of a legislator, nor shall a lobbyist attempt to improperly influence the selection of officers or employees of the House. A lobbyist by personal example and admonition to colleagues shall maintain the honor of the legislative process by the integrity of the lobbyist's relationship with legislators as well as with the principals whom the lobbyist represents.

A lobbyist shall not knowingly and willfully falsify, conceal, or cover up by any trick, scheme, or device, a material fact or make any false, fictitious, or fraudulent statement or representation, or make or use any writing or document knowing the same to contain any false, fictitious, or fraudulent statements or entry.

No registered lobbyist shall be permitted upon the floor of the House while it is in session.

(b) **Advisory Opinions; Compilation Thereof.** A lobbyist, when in doubt about the applicability and interpretation of (a) of this Rule in a particular context, shall submit in writing the facts for an advisory opinion to the Speaker, who shall either refer the issue to the House general counsel for an advisory opinion or refer the issue to a committee designated by the Speaker to have responsibility for the ethical conduct of lobbyists and may appear in person before said committee. The House general counsel or this committee shall render advisory opinions to any lobbyist who seeks advice as to whether the facts in a particular case would constitute a violation of such Rule by a lobbyist. Such opinion until amended or revoked shall be binding in any subsequent complaint concerning the lobbyist who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for advisory opinion. Upon request of the lobbyist or any Member, the committee designated by the Speaker to have responsibility for the ethical conduct of lobbyists may revise any advisory opinion issued by the House general counsel or may revise any advisory opinion issued by the general counsel of the Joint Legislative Management Committee under Joint Rule 1.5. The House general counsel or committee shall make sufficient deletions to prevent disclosing the identity of persons in the decisions or opinions. All advisory opinions of the House general counsel or this committee shall be numbered, dated, and published in an annual publication of the House. The Clerk of the House shall keep a compilation of all advisory opinions of the House general counsel or committee designated by the Speaker to have responsibility for the ethical conduct of lobbyists.

#### **161. Complaints of Violations Relating to Lobbyists; Procedure—**

(a) **Filing of Complaints.** The Chair of the Rules, Resolutions, & Ethics Committee shall receive and initially review allegations of violations of the House Rules, Joint Rule 1, or violations of a law, rule, or other standard of conduct by a lobbyist.

(1) **Review of Complaints.** The Chair of the Rules, Resolutions, & Ethics Committee shall review each complaint submitted to the Rules, Resolutions, & Ethics Committee relating to the conduct of a lobbyist.

(2) **Complaints.**

a. A complaint shall be in writing and under oath, setting forth in simple, concise statements the following:

1. the name and legal address of the party filing the complaint (complainant);

2. the name and address of the lobbyist (respondent) alleged to be in violation of the House Rules, Joint Rule 1, or a law, rule, or other standard of conduct;

3. the nature of the alleged violation based upon the personal knowledge of the complainant, including, if possible, the specific section of the House Rules, Joint Rule 1, or law, rule, or other standard of conduct alleged to have been violated; and

4. the facts alleged to give rise to the violation.

b. All documents in the possession of the complainant that are relevant to, and in support of, the allegations shall be attached to the complaint.

(3) **Processing Complaint and Preliminary Findings.**

a. Upon the filing of a complaint, the Chair shall within five (5) working days notify the lobbyist against whom the complaint has been filed and give such person a copy of the complaint. Within twenty (20) days, the Chair shall take the necessary actions as provided in subparagraphs b.-g. below.

b. The Chair shall examine each complaint for jurisdiction and for compliance with paragraph (a)(2) of this Rule.

c. Should the Chair determine that a complaint does not comply with said Rule, the complaint shall be returned to the complainant with a general statement that the complaint is not in compliance with said Rule and with a copy of the Rule. A complainant may resubmit a complaint provided such complaint is resubmitted prior to the expiration of the time limitation set forth in subsection (m) of this Rule.

d. Should the Chair determine that the verified complaint does not allege facts sufficient to constitute a violation of any of the provisions of the House Rules, Joint Rule 1, or a law, rule, or other standard of conduct, the Chair shall dismiss the complaint and notify the complainant and the respondent of such action.

e. Should the Chair determine that the complaint is outside the jurisdiction of the House, the Chair shall dismiss the complaint and notify the complainant and the respondent of such action.

f. Should the Chair determine that a violation is inadvertent, technical, or otherwise of a *de minimis* nature, the Chair may attempt to correct or prevent such a violation by informal means.

g. Should the Chair determine that such a complaint does allege facts sufficient to constitute a violation of any of the provisions of the House Rules, Joint Rule 1, or a law, rule, or other standard of conduct, and that the complaint is not *de minimis* in nature, the Chair shall transmit a copy of the complaint to the Speaker and, in writing, request the appointment of a Probable Cause Panel or Special Master regarding the complaint. A copy of the letter shall be provided to the complainant and the respondent.

(4) **Withdrawal of Complaints.** A complaint may be withdrawn at any time.

## (b) Probable Cause Panel or Special Master.

(1) Creation. Whenever the Speaker receives a copy of a complaint and request made pursuant to subsection (a) of this Rule, the Speaker shall, within twenty (20) days, either (1) appoint a Probable Cause Panel (the panel) consisting of an odd number of members or (2) appoint a Special Master. If the Speaker appoints a Probable Cause Panel, the Speaker shall also appoint one member of the panel as its chair. The Speaker may appoint up to two additional persons who are not Members of the House to serve as nonvoting, public members of a Probable Cause Panel.

(2) Powers and Duties. The members of the panel or the Special Master shall have the following powers and duties:

a. investigate complaints and make appropriate findings of fact promptly regarding allegations of improper conduct sufficient to establish probable cause of violations of the House Rules, Joint Rule 1, or a law, rule, or other standard of conduct;

b. based upon the investigation by the Special Master or the panel, make and report findings of probable cause to the Speaker and to the House as it relates to the complaint which occasioned the appointment of the Probable Cause Panel or the Special Master;

c. recommend to the Rules, Resolutions, & Ethics Committee such additional rules or regulations as the Probable Cause Panel or the Special Master shall determine as necessary or desirable to ensure proper standards of conduct by lobbyists; and

d. adopt rules of procedure as appropriate to its needs.

(3) Quorum. A quorum of a Probable Cause Panel, when appointed, shall consist of a majority of the members of the panel. All action by a Probable Cause Panel shall require the concurrence of a majority of the full panel.

(4) Term. A Probable Cause Panel or Special Master, as appropriate, shall serve until the complaint which occasioned the appointment of the panel or the Special Master has been dismissed or until a finding of probable cause has been transmitted to the Speaker.

## (c) Preliminary Investigation and Probable Cause Finding.

## (1) Preliminary Investigation.

a. The Probable Cause Panel or the Special Master shall provide the respondent an opportunity to present to the panel, the Special Master, or staff of the panel, orally or in writing, a statement addressing the allegations.

b. The panel, Special Master, or the staff of the panel may interview witnesses and examine documents and other evidentiary matters.

c. The panel or Special Master may order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the chair or any other member of the panel, by the Special Master, or by any person authorized by law to administer oaths.

d. The panel or Special Master may require, by subpoena issued pursuant to these Rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.

## (2) Probable Cause Finding.

a. The panel, by a recorded vote of a majority of the full panel, or the Special Master, as appropriate, shall determine whether there is probable cause to conclude that a violation within the jurisdiction of the panel or the Special Master has occurred.

b. Should the panel or Special Master, as appropriate, find that probable cause does not exist, the panel or Special Master shall dismiss the complaint and notify the complainant and the respondent of its determination.

c. Should the panel or Special Master, as appropriate, determine that probable cause exists to believe that a violation occurred but that the violation, if proven, is neither of a *de minimis* nature nor sufficiently serious to justify the imposition of a penalty pursuant to Rule 162 the panel or Special Master may recommend an appropriate, lesser penalty or may resolve the complaint informally. If the respondent agrees, a summary of the panel's conclusions or Special Master's conclusions, as is appropriate, shall be published in the House *Journal* and the agreed penalty shall be imposed. Should the panel or Special Master be unable to satisfactorily settle the complaint, the complaint shall be subject to a full evidentiary hearing before the Select Committee on Lobbyist Conduct pursuant to subsection (d) of this Rule.

d. Should the panel or Special Master determine that probable cause exists to believe that a violation occurred and that, if proven, would be sufficiently serious to justify imposition of a penalty pursuant to Rule 162, the panel or Special Master shall cause to be transmitted to the respondent a Statement of Alleged Violation. The statement shall be divided into counts, and each count shall be related to a separate violation and shall contain a plain and concise statement of the alleged facts of such violation, including a reference to the provision of the House Rules, Joint Rule 1, or law, rule, or other standard of conduct alleged to have been violated. A copy of the statement shall also be transmitted to the Speaker.

## (d) Hearing.

(1) Select Committee on Lobbyist Conduct. Upon receipt by the Speaker of a Statement of Alleged Violation, the Speaker shall appoint, within twenty (20) days, a Select Committee on Lobbyist Conduct (the select committee) to hold hearings regarding the statement and make a recommendation for disciplinary action to the full House.

(2) Hearing. A hearing regarding a violation charged in a Statement of Alleged Violation shall be held promptly to receive evidence upon which to base findings of fact and recommendations, if any, to the House respecting such violation. The hearing before the select committee shall be subject to Rule 61.

a. Chair. The chair of the select committee or other member presiding at a hearing shall rule upon any question of admissibility of testimony or evidence presented to the select committee. Rulings shall be final unless reversed or modified by a majority vote of the members of the select committee. Should the select committee appoint a referee pursuant to subsection (i) of this Rule, the referee shall make all evidentiary rulings.

b. Referee. The select committee shall serve as referee for all proceedings under these Rules, unless the select committee retains an independent referee pursuant to subsection (i) of this Rule.

c. Prosecutor. The select committee's staff shall serve as prosecutor in all proceedings conducted under these Rules unless the select committee retains independent counsel pursuant to subsection (j) of this Rule.

d. Respondent's Rights. The respondent shall have the right to be represented by legal counsel, to call witnesses, to introduce exhibits, and to cross-examine opposing witnesses. The respondent or respondent's counsel shall be permitted to take the deposition of the complainant in accordance with subparagraph (d)(3)a.3.

e. Complainant's Rights. The complainant is not a party to any part of the complaint process or these proceedings. The complainant has no standing to challenge these Rules or procedures and has no right to appeal. The complainant may submit a list of witnesses or questions for the select committee's consideration to assist in its preparation for the hearing.

## (3) Procedures.

## a. Procedure and Evidence.

1. Procedure. The select committee may adopt rules of procedure as appropriate to its needs.

2. Evidence. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. However, hearsay evidence may not be used unless same would be admissible under the Florida Rules of Evidence and it shall not be sufficient in itself to support a factual finding unless it would be admissible over objection in civil actions.

3. Discovery. Discovery may be permitted upon motion, which shall state the reason therefor. Discovery shall be in accordance with the Florida Rules of Civil Procedure, but may be limited in time, scope, and method by the chair or the referee.

4. Testimony. The select committee shall order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the chair or a member of the select committee, by any referee appointed pursuant to subsection (i) of this Rule, or by any person authorized by law to administer oaths.

5. Subpoenas. The select committee may require, by subpoena issued pursuant to these Rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.

b. Order of Hearing. The order of the full hearing before the select committee or the referee shall be as follows:

1. The chair or the referee shall open the hearing by stating the select committee's authority to conduct the hearing, the purpose of the hearing, and its scope.

2. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order whenever possible: (i) witnesses and other evidence offered by the select committee's staff or the independent counsel; (ii) witnesses and other evidence offered by the respondent; and (iii) rebuttal witnesses. (The select committee may call witnesses at any time during the proceedings.)

3. Witnesses at the hearing shall be examined first by the select committee's staff or the independent counsel. The respondent or the respondent's counsel may then cross-examine the witnesses. The members of the select committee may then question the witnesses. Redirect and recross may be permitted in the chair's or the referee's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or the respondent's counsel, and then may be cross-examined by select committee's staff or the independent counsel. Members of the select committee may then question the witness. Redirect and recross may be permitted in the chair's or the referee's discretion. (Participation by the select committee at the hearing stage is at the sole discretion of the select committee and is not mandatory.)

(4) Burden of Proof. At the hearing, the burden of proof rests on the select committee's staff or the appointed independent counsel to establish the facts alleged by clear and convincing evidence with respect to each count.

(e) Committee Recommended Order.

(1) Committee Deliberations. As soon as practicable, the select committee shall consider each count contained in a statement of alleged violation or in a complaint and findings, as the case may be. A count shall not be proven unless at least a majority of the select committee votes for a motion that the count has been proved. A count that is not proved shall be considered as dismissed by the select committee.

(2) Dismissal of Complaint. After the hearing, the select committee shall, in writing, state its findings of fact. If the select committee finds that the respondent has not violated any of the provisions of the House Rules, Joint Rule 1, or a law, rule, or other standard of conduct, it shall order the action dismissed and shall notify the respondent and the complainant of such action.

(3) Recommended Order.

a. Recommended Order. If the select committee finds that the respondent has violated any of the provisions of the House Rules, Joint Rule 1, or a law, rule, or other standard of conduct, it shall, in writing, state its findings of fact and submit a report to the House. A copy of the report shall be sent to the respondent and the complainant and shall be published in the House *Journal*.

b. Penalty. With respect to any violation with which a lobbyist is charged in a count that the select committee has voted as proved, the select committee may recommend to the House that the lobbyist be censured, reprimanded, or prohibited from lobbying for all or any part of the legislative biennium during which the violation occurred, or such other penalty as may be appropriate.

(f) Proposed Recommended Order.

(1) Referee. When a hearing is conducted by referee, as provided in subsection (i) of this Rule, the referee shall prepare a proposed recommended order and file it, together with the record of the hearing, with the select committee. Copies of the proposed recommended order shall be served on all parties.

(2) Proposed Recommended Order. The proposed recommended order will contain the time and place of the hearing, appearances entered at the hearing, issues, and proposed findings of fact and conclusions of law.

(3) Exceptions. The respondent and the independent counsel may file written exceptions with the select committee in response to a referee's recommended order. Exceptions shall be filed within twenty (20) days after service of the recommended order unless such time is extended by the referee or the chair of the select committee.

(4) Recommended Order. The select committee shall deliberate and render a recommended order pursuant to the provisions of subsection (e) of this Rule.

(g) Consent Decrees. At any stage of the proceedings, the respondent and the select committee may agree to a consent decree. The consent decree shall state findings of fact and shall be published in the House *Journal*. The consent decree shall contain such penalty as may be appropriate. Should the House accept the consent decree, the complaint pursuant to these proceedings shall be resolved. Should the House not accept the consent decree, the proceedings before the select committee shall resume.

(h) Confidentiality. Any material provided to the House in response to a complaint filed under this Rule which is confidential under applicable law shall remain confidential and shall not be disclosed except as authorized by applicable law. Except as otherwise provided in this section, a complaint and the records relating to a complaint shall be available for public inspection upon the dismissal of a complaint by the Chair of the Committee on Rules, Resolutions, & Ethics, a determination as to probable cause or informal resolution of a complaint by a Special Master or panel, or the receipt by the Speaker of a request in writing from the respondent that the complaint and other records relating to the complaint be made public records.

(i) Referee. The Select Committee on Lobbyist Conduct may, in its discretion and with the approval of the Speaker, employ a referee to preside over the proceedings, to hear testimony, and to make findings of fact and recommendations to the select committee concerning the disposition of complaints.

(j) Independent Counsel. The Select Committee on Lobbyist Conduct is authorized to retain and compensate counsel not regularly employed by the House, as authorized by the Speaker.

(k) Eligibility; Speaker of the House. In the event that any allegation under this Rule involves the conduct or activities of the Speaker, the duties of the Speaker pursuant to this Rule shall be transferred to the Speaker pro tempore.

(l) *Ex Parte* Communications.

(1) A Special Master or a member of a Probable Cause Panel or of a Select Committee on Lobbyist Conduct shall not initiate or consider any *ex parte* communication relative to the merits of a pending complaint proceeding by:

a. any person engaged in prosecution or advocacy in connection with the matter; or

b. a party to the proceeding or any person who, directly or indirectly, would have a substantial interest in the action of the panel, Special Master or select committee, or their authorized representatives or counsel.

(2) Except when acting within their official capacity as a Special Master or as a member of a panel or select committee, a Special Master or a member of a Probable Cause Panel or of a Select Committee on Lobbyist Conduct shall not comment upon or discuss with any other person the matters which occasioned the appointment of the Special Master, panel, or select committee during the pendency of proceedings held pursuant to this Rule before the Special Master, panel, or select committee. This section shall not apply to communications initiated or considered by the Special Master or the chair of the panel or select committee relating to a settlement pursuant to subparagraph (c)(2)c. of this Rule or to a consent decree authorized pursuant to subsection (g) of this Rule.

## (m) Time Limitations.

(1) On or after the effective date of these Rules, all sworn complaints alleging violations of the House Rules, or Joint Rule 1, or violations of law shall be filed with the Rules, Resolutions, & Ethics Committee within two (2) years of the alleged violation.

(2) A violation of the House Rules is committed when every element of the Rule has occurred and time starts to run on the day after the violation occurred.

(3) The applicable period of limitation is tolled on the day a sworn complaint against the lobbyist is filed with the Rules, Resolutions, & Ethics Committee. If it can be concluded from the face of the complaint that the applicable period of limitation has run, the allegations shall not be considered a complaint for the purpose of requiring action by the Chair of the Rules, Resolutions, & Ethics Committee. The complaint and all material related thereto shall remain confidential.

**162. Penalties for Violations**—Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the foregoing requirements of these Rules or any provision in Joint Rule 1 adopted by the House and the Senate, or other law may be reprimanded, censured, prohibited from lobbying for all or any part of the legislative biennium during which the violation occurred, or such other penalty as may be appropriate. Said determination shall be made by a majority of the House, upon recommendation of the committee so designated under Rule 161.

**XIII. MISCELLANEOUS****163. Privilege of the Floor**—

Other than present Members of the House and of the Senate, the persons hereinafter named, and none other, shall be admitted during regular daily sessions to the Chamber of the House: The Governor, Lieutenant Governor and Cabinet Members, Justices of the Supreme Court, Members of Congress, contestants in election cases during the pendency of their cases in the House, such persons as have, by name, received the thanks of the Legislature; former Governors, former Members of the Cabinet, and former Members of the House and Senate who are not interested in any claim or directly in any bill pending before the Legislature, and such employees of the House as may be needed on public business, including such committee staff as shall be designated by committee chairs and approved by the Speaker. Visiting dignitaries or official guests may be granted the privilege of the floor upon motion adopted by a majority of the House. Persons granted the privilege of the

floor shall not lobby the Members while the House is in session, unless by motion granted leave to address the House.

When the House is in session all persons in the House Chamber shall be dressed in proper business attire.

**164. Qualifications and Elections of Members**—In cases of contest for a seat in the House, notice setting forth the specific grounds of such contest and evidence in support thereof shall be received by the Clerk not less than five days before the Organization Session of the Legislature. No motion to disqualify a Member shall be in order at the Organization Session until a Speaker has been elected in accordance with the Florida Constitution. In the case of a special election, notice shall be five days before the next regular or special session convenes, unless the election is during a session or less than five days before the next session, in which case the notice must be on the next legislative day following the receipt of certified election results. Any contest setting forth facts sufficient shall be referred by the Speaker to the appropriate committee. The committee shall hold a hearing and report its findings and recommendations as speedily as reasonably possible. Upon receipt of the committee report, the House shall with all dispatch, upon motion, determine the contest by a majority vote.

**165. House Seal**—The House Seal shall be used only by or on behalf of a Member or Officer of the House or when specifically authorized in writing by the Committee on Rules, Resolutions, & Ethics.

(a) Configuration. There shall be an official seal of the House of Representatives. The seal shall be a circle, having in the center thereof, a view of the sun's rays over a highland in the distance, a sabal palmetto palm tree, a steamboat on the water, and a Native American female scattering flowers in the foreground, encircled by the words "House of Representatives."

(b) Use of the Seal. Unless a written exception is otherwise granted by the Speaker:

(1) Material carrying the official seal shall be used only by a Member, officer, or employee of the House of Representatives or other persons employed or retained by the House.

(2) The use, printing, publication, or manufacture of the seal, or items or materials bearing the seal or a facsimile of the seal, shall be limited to official business of the House or official legislative business.

(c) Custodian. The Clerk shall be the custodian of the official seal.

**XIV. DEFINITIONS**

**166. Majority Action**—Unless otherwise indicated by these Rules, all action by the House, its committees, or councils shall be by majority vote of those Members present. In all cases where the body shall be equally divided, the question shall be lost.

**167. Printing and Publications**—Documents required by these Rules to be printed or published may be produced and distributed on paper or in electronic form.

**168. Notices**—In addition to any other provisions of these Rules, notices required to be filed with the Clerk shall be furnished to the Majority Office and the Minority Office.

**JOINT RULES****Joint Rule One****Lobbyist Registration and Reporting****1.1—Those Required to Register; Exemptions; Committee Appearance Records**

(1) All lobbyists before the Florida Legislature must register with the Joint Legislative Management Committee. Registration is required for each principal represented.

(2) As used in this rule, unless the context otherwise requires:

(a) "Designated lobbyist" means the lobbyist who is appointed, by a principal represented by two or more lobbyists, to file expenditure reports that include lobbying expenditures made directly by the principal.

(b) "Legislative action" means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter which may be the subject of action by, either house of the Legislature or any committee thereof.

(c) "Lobby" or "lobbying" means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(d) "Lobbyist" means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a "lobbyist" unless the employee is principally employed for governmental affairs. "Principally employed for governmental affairs" means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government. Any person employed by any executive, judicial, or quasi-judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(e) "Payment" or "salary" means wages or any other consideration provided in exchange for services, but does not include reimbursement for expenses.

(f) "Principal" means the person, firm, corporation, or other entity which has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(3) For purposes of this rule, the terms "lobby" and "lobbying" do not include any of the following:

(a) Response to an inquiry for information by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services which arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term "lobbyist" does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge's official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer's official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive, judicial, or quasi-judicial department of the state or community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours, and who does not otherwise meet the definition of lobbyist.

(5) When a person, whether or not the person is registered as a lobbyist, appears before a committee of the Legislature, that person must submit a Committee Appearance Record on a form to be provided by the respective house.

### 1.2—Method of Registration

(1) Each person who is required to register under Joint Senate and House Rule 1.1 must register on forms furnished by the Joint Legislative Management Committee, on which that person must state, under oath, that person's name, business address, and phone number, the name and business address of each principal that person represents, the areas of that person's legislative interest, and the extent of any direct business association or partnership that person has with any member of the Legislature. The Joint Legislative Management Committee or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Joint Legislative Management Committee in writing within 15 days.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement signed by the principal or principal's representative that the registrant is authorized to represent the principal. Any person required to register must renew the registration annually, in accordance with Joint Senate and House Rule 1.3.

(3) If a principal has one lobbyist registered, another lobbyist for that principal shall not be allowed to register until one of the lobbyists has been appointed by the principal in writing to the Joint Legislative Management Committee as the principal's designated lobbyist for expenditure reporting. A principal may appoint its first registered lobbyist as the designated lobbyist upon that lobbyist's registration and may change its designated lobbyist at any time.

(4) A lobbyist shall promptly send a written statement to the Joint Legislative Management Committee cancelling the registration for a principal upon termination of the lobbyist's representation of that principal. Notwithstanding this requirement, the Joint Legislative Management Committee may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the joint committee that the lobbyist is no longer authorized to represent that principal.

(5) The Joint Legislative Management Committee shall publish on the first Monday of each regular session and weekly thereafter through the end of that session a compilation of the names of persons who have registered and the information contained in their registrations.

(6) The Joint Legislative Management Committee shall retain all original documents submitted under this section.

(7) A person who is required to register under this rule, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of sections 112.3148 and 112.3149, Florida Statutes, relating to reporting and prohibited receipt of gifts and honoraria.

### 1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering this joint policy, each person who registers under Joint Senate and House Rule 1.1 must pay an annual registration fee to the Joint Legislative Management Committee. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

(a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.

(b) Two employees of the Game and Fresh Water Fish Commission.

(c) Two employees of the Executive Office of the Governor.

(d) Two employees of the Commission on Ethics.

(e) Two employees of the Florida Public Service Commission.

(f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the Joint Legislative Management Committee. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Joint Legislative Management Committee. The fees collected by the Joint Legislative Management Committee under this joint policy shall be deposited in the State Treasury and credited to the appropriation for legislative expenses specifically to cover the costs incurred in administering this joint policy.

#### 1.4—Periodic Reports Required

(1) **REPORTING DATES.**—Each person who registers pursuant to Joint Senate and House Rule 1.2 must submit to the Joint Legislative Management Committee, on forms provided by the joint committee and for each reporting period required by this rule, a signed and certified statement listing all lobbying expenditures during the reporting period and the sources of funds for those expenditures as required in this rule. Reporting statements shall be filed no later than 45 days after the end of the reporting period. Unless a special session is called, only two reports are required each calendar year. The first report shall disclose expenditures made from January 1 through the date of adjournment of the regular session of the Legislature, including an extension, if any. The second report shall disclose expenditures for the remainder of the calendar year. However, whenever the Legislature convenes in a special session, a separate, supplemental report is required which shall disclose all expenditures incurred during the period since the end of the period covered by the last previous report required to be filed through adjournment of that special session. Following adjournment of a special session for which a separate, supplemental report is required, the next report required to be filed shall disclose all expenditures incurred from the date of adjournment of that special session through the end of the reporting period applicable to that next required report. It is the intent of this rule that each reporting period be separate from every other reporting period and that each expenditure be reported just once. In addition, any reporting statement may be filed by electronic means, when feasible.

(2) **TIMELINESS OF REPORTS.**—Reports shall be filed not later than 5 p.m. of the report due date. However, any report that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner. A certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company which bears a date on or before the due date, shall be proof of mailing in a timely manner.

#### (3) LOBBYIST'S EXPENDITURE REPORT.—

(a) The Lobbyist's Expenditure Report shall include the name of the lobbyist and the name of the principal on whom the report is prepared. Expenditures for the reporting period shall be reported by the following categories: Food and Beverages; Entertainment; Research; Communications; Media Advertising; Publications; Travel; Lodging; Special Events; and Other. For each expenditure category, the report must identify the amount paid directly by the lobbyist, directly by the principal, initiated or expended by the lobbyist and paid for by the principal, or initiated or expended by the principal and paid for by the lobbyist. Forms shall be provided by the Joint Legislative Management Committee.

(b) A lobbyist shall file a Lobbyist's Expenditure Report for each principal represented.

(c) When a principal has two or more lobbyists, the principal shall designate one lobbyist who will be responsible for filing a report which discloses the expenditures made directly by the principal and the expenditures of the designated lobbyist on behalf of the principal. The designated lobbyist is responsible for making a good faith effort to obtain the figures reported as lobbying expenditures made by the principal.

(d) When there are multiple lobbyists, only the designated lobbyist is to report expenditures made directly by the principal. When there are multiple lobbyists, only unduplicated amounts should be reported for expenditures initiated or expended by the lobbyist and paid for by the principal.

(e) The principal is responsible for the accuracy of the figures submitted to the lobbyist for reporting, and the lobbyist is responsible for the accuracy of the figures reported as lobbying expenditures made by that lobbyist.

#### (4) EXPENDITURES.—

##### (a) Definitions.—

1. "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made or controlled, directly or indirectly, by a lobbyist or principal for the purpose of lobbying. Expenditures shall be accounted for and reported on an accrual accounting basis.

2. "Accrual accounting basis" means the method of accounting that recognizes expenses during the period in which they are incurred regardless of when they are actually paid.

(b) **Goodwill expenditures.**—An expenditure shall be considered to have been intended to be for the purpose of engendering goodwill if it is a gift, an entertainment, any food or beverage, or any other item or service of similar personal benefit to a member or an employee of the Legislature, unless the member or employee is a relative of the lobbyist. A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

(c) **Expenditure categories.**—Each reporting individual shall make a good faith effort to report an expenditure and to report it in the appropriate category. If an expenditure fits in two or more categories, it shall be reported in the category to which the expense primarily relates. When an expenditure is not within any defined category, it should be reported in the "Other" category. The categories of expenditures used in this rule are as follows:

1.a. "Communications" means dissemination of information, including, but not limited to, by means of the following:

I. Audio-visual materials; and

II. Signs, placards, banners, buttons, promotional materials, and other display materials;

together with any associated production services.

b. This category does not include media advertising, publications, or research.

2. "Entertainment" means amusement or recreation, including, but not limited to, sporting, hunting, fishing, theatrical, artistic, cultural, and musical activities or events.

3. "Food and Beverages" means meals, snacks or other edible substances, or liquids for drinking, including services associated therewith.

4. "Lodging" means sleeping or living accommodations for an individual for one or more nights.

5. "Media Advertising" means newspaper and magazine advertising, radio and television advertising, and outdoor advertising, including production services and copyrighting services.

6. "Other" means any item or service that is not included within one of the specified categories, but does not include any item or service that is not required by law to be reported.

7. "Publications" means mass-produced, printed materials, including, but not limited to, magazines, newsletters, brochures, or pamphlets, which expressly encourage persons to communicate with members or employees of the Legislature to influence the official actions of members or employees of the Legislature or which are designed to communicate with members or employees of the Legislature.

8. "Research" means procurement of information relating to a specific issue, regardless of the form or medium in which that information is provided, including, but not limited to, surveys, bill-tracking services, information services, periodicals, and consultants or consultant services to gather data or statistics.

9. "Special Events" means large-scale occurrences, including, but not limited to, receptions, banquets, dinners, or legislative days, to which more than 250 persons are invited and for which the expenditures associated with hosting the occurrence are negotiated with a catering service or facility at a single, set price or which include multiple expenditure categories.

10. "Travel" means transporting an individual from one place to another, regardless of the means used.

(d) Items that are not expenditures.—The term "expenditure" does not include:

1. Contributions or expenditures reported pursuant to chapter 106, Florida Statutes; campaign-related personal services provided without compensation by individuals volunteering their time; or any other contribution or expenditure by a political party.

2. A lobbyist's or principal's salary, office expenses, and personal expenses for lodging, meals, and travel. If the principal is a firm, corporation, association, or person, other than a natural person, the office expenses of the entity and the salaries of the officers of the entity, as well as expenses for their lodging, meals, and travel, are not lobbying expenditures. Office expenses include, but are not limited to, payment or obligation for rent or mortgage, utilities, postage, telephone service, employees' salaries, furniture, copies, computers, software, paper supplies, and custodial or maintenance services. Communications, publications, and research are office expenses if performed or produced by the lobbyist or principal or their employees. If those functions are performed by independent contractors, other than the lobbyist or principal or an affiliate controlled by the principal, they are expenditures reportable under the appropriate expenditure category.

3. If an expense is incurred for a nonlobbying business purpose and the product of that expense is later used for a lobbying purpose, a reportable expenditure is not created.

(e) Valuation of expenditures.—

1. In calculating the amount of aggregate expenditures, a lobbyist or principal may, prior to prorating, round each entry up or down to the nearest \$5. A record is not required to be maintained for any amount that rounds to zero.

2. The amount to be reported for an expenditure shall be determined using the actual cost to the lobbyist or principal or other person making the payment on behalf of the lobbyist or principal, less any compensation received by such lobbyist or principal in payment for the object of the expenditure. If a lobbyist or principal makes a contribution to an expenditure by another lobbyist or principal, the person making the contribution shall report the amount of the contribution as an expenditure, and the person receiving the contribution shall subtract the value of the contribution from the expenditure to be reported by that person.

3. When a lobbyist has multiple principals, expenditures made for the purpose of engendering goodwill that are not attributable to one principal may be prorated among the lobbyist's principals or may be attributed to one principal.

4. When a lobbyist has multiple principals, expenditures for research or other expenditures that may benefit several principals may be reported to the principal for whom the research was done or other expenditures incurred or prorated to those principals that may benefit from the research or other expenditures.

5. The amount reported as an expenditure shall not include the amount of any additional expenses that are required as a condition precedent to eligibility to make an expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying or if it is paid to a charitable organization. If the amount expended for the condition precedent is primarily intended to be for a lobbying purpose and is not paid to a charitable organization, the total amount of the expenditure shall be reported as a lobbying expenditure. Initiation fees, membership fees, and booster fees are examples, although not exclusive examples, of additional expenses that are regularly required as conditions precedent for eligibility to make other expenditures.

6. A person providing transportation in a private automobile shall be considered to be making an expenditure at the rate of 20 cents per mile, and the amount of an expenditure made for transportation provided in other private conveyances shall be determined in accordance with the provisions of section 112.3148(7), Florida Statutes.

7. A person providing lodging in a private residence shall be considered to be making an expenditure of \$29 per night.

8. Expenditures made for more than one person may be attributed, on a *pro rata* basis, among all of the persons for whom the expenditure is made.

(5) AGGREGATION OF EXPENDITURE FIGURES.—For each reporting period, the Joint Legislative Management Committee shall aggregate the expenditures reported by all of the lobbyists for a principal represented by more than one lobbyist. Following the last report for each calendar year, the Joint Legislative Management Committee shall provide a total of expenditures reported as spent by and on behalf of each principal for that calendar year.

#### 1.5—Penalties for Late Filing

(1) Upon determining that a report is late, the person designated to review the timeliness of reports shall immediately notify the lobbyist as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

(a) When a report is actually received by the lobbyist registration and reporting office;

(b) When the report is postmarked;

(c) When the certificate of mailing is dated; or

(d) When the receipt from an established courier company is dated.

(3) Such fine shall be paid within 20 days after receipt of the notice of payment due, unless appeal is made to the Joint Legislative

Management Committee. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbyist the first time any reports for which the lobbyist is responsible are not timely filed. However, to receive this one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 20 days after receipt of notice that any reports have not been timely filed. A fine shall be assessed for any subsequent late-filed reports.

(5) The person designated to review the timeliness of reports shall notify the Joint Legislative Management Committee of the failure of a lobbyist to file a report after notice or of the failure of a lobbyist to pay the fine imposed.

### **1.6—Appeal of Fines; Hearings; Unusual Circumstances**

(1) A lobbyist wishing to appeal or dispute a fine imposed in accordance with Joint Senate and House Rule 1.5 shall file with the Lobbyist Registration Office of the Joint Legislative Management Committee a notice of appeal within 20 days after the date of receipt of the notice of payment due, setting out with specificity the unusual circumstances surrounding the failure to file on the designated due date. A request for a hearing on the matter before the Joint Legislative Management Committee must be made within the same 20-day period. The notice of appeal may be accompanied by any documentation or evidence supporting the claim. Failure to timely file a notice of appeal as described in this subsection shall constitute a waiver of the right to appeal or to dispute a fine.

(2) The Joint Legislative Management Committee may waive the fine in whole or in part for good cause shown based on the unusual circumstances presented by the lobbyist.

(3) The term “unusual circumstances” for the purposes of this rule means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to meet the filing requirements.

### **1.7—Questions Regarding Registration**

(1) A person may request in writing an informal opinion from the general counsel of the Joint Legislative Management Committee as to the application of this rule to a specific situation. The general counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion which is issued shall be provided to the presiding officer of each house. The committees designated under section 11.045(4), Florida Statutes, may revise any informal opinion rendered by the general counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) Persons in doubt about the applicability or interpretation of this rule may submit in writing the facts for an advisory opinion to the committee of the respective house designated pursuant to section 11.045(4), Florida Statutes, and may appear in person before the committee in accordance with section 11.045(4), Florida Statutes.

### **1.8—Open Records**

All of the lobbyist registration and expenditure reports received by the Joint Legislative Management Committee shall be available for public inspection and for duplication at reasonable cost.

### **1.9—Records Retention and Inspection**

Each lobbyist and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate lobbying expenditures. Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person

authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this rule, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to this rule or Senate Rules or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

## **Joint Rule Two**

### **General Appropriations Review Period**

#### **2.1—General Appropriations Bill; Review Period**

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage in the house in which the bill originates.

(2) A review period is not required prior to a vote being taken on final passage of the same bill in the nonoriginating house, provided the bill is not amended. If a bill is amended, the amendment being a bill previously furnished pursuant to this rule, another review period is not required. If, however, a bill as amended is not a bill previously furnished pursuant to this rule, another 72-hour public review period shall be provided before a vote is taken on final passage.

(3) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds additional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(4) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(5) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice, and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building. A member's copy shall be furnished to the member's desk in the appropriate chamber. The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(6) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be provided herein. The Speaker of the House or the President of the Senate, as appropriate, shall be informed of the completion time and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

#### **2.2—General Appropriations Bill; Definition**

For the purposes of Joint Rule 2, the term “general appropriations bill” means a bill which provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill which contains appropriations which are incidental and necessary solely to implement a substantive law is not included within this term.

**Joint Rule Three****Joint Legislative Management Committee****3.1—Administration and Rulemaking**

(1) The Joint Legislative Management Committee shall meet at times and places necessary to perform the functions assigned to it.

(2) The joint committee shall adopt rules and policies for its own organization and operation and for the organization and operation of its divisions as is deemed advisable to carry out the functions of the joint committee. It shall have general administrative responsibility for the operation of such divisions.

(3) Action by a majority vote of the membership of the joint committee shall control and be conclusive on any matter considered by the joint committee.

**3.2—Executive Director**

(1) The joint committee shall appoint its executive director by majority vote.

(2) The executive director shall coordinate the activities of all of the divisions of the joint committee and shall have authority to hire and remove personnel of the joint committee and its divisions.

**3.3—Responsibilities**

The joint committee shall be responsible for the following:

(1) Maintaining a library adequate for the needs of the Legislature.

(2) Maintaining a permanent and continuous statutory revision plan as provided in ss. 11.242-11.246, Florida Statutes, including periodic publication of the Florida Statutes.

(3) Maintaining a bill status system, supplying such information relating to all prefiled bills and all bills introduced during legislative sessions as the joint committee may deem necessary.

(4) Coordinating all matters relative to legislative printing and carrying out all duties assigned to the joint committee by chapter 283, Florida Statutes, and as otherwise assigned to it.

(5) Developing and administering policies for distributing free or reduced-cost copies of the Florida Statutes to the state's law schools and to other officers and institutions of state and local government based on specific need and circumstances.

(6) Adopting, with the approval of the President of the Senate and the Speaker of the House of Representatives, and administering a uniform personnel, job classification, and pay plan for all legislative employees, and maintaining salary information that provides a basis for reviewing whether the legislative pay plan is competitive.

(7) Preparing all payrolls for the Legislature, including the certification of vouchers and transmission of same to the Comptroller, and maintaining the required and necessary payroll records.

(8) Developing and administering uniform policies relating to the purchase or acquisition of all supplies, capital outlay items, and other commodities required for the proper functioning of the Legislature.

(9) Developing and administering uniform policies relating to keeping an inventory record of capital outlay items owned and purchased by the Legislature.

(10) Issuing and approving all purchase orders under the authority of the joint committee.

(11) Ascertaining that proper authorization has been obtained, and preparing and certifying all vouchers for expense and capital outlay expenditures. Expenditures chargeable to the Senate shall be approved by the President or the President's duly authorized agent; expenditures chargeable to the House of Representatives shall be approved by the Speaker or the Speaker's duly authorized agent; expenditures

chargeable to the joint committee and other units of the Legislature shall be approved by the joint committee or its duly authorized agent.

(12) Maintaining records and preparing reports of disbursements from the legislative appropriation by offices, divisions, or departments, including standing committees, or other categories as needed, indicating a breakdown as to type of disbursements.

(13) Preparing suggested budgets in conformity with s. 216.023, Florida Statutes, for all expenditures of each house, the joint committee, and other units of the Legislature and submitting same to the respective presiding officers for their final approval before transmission to the Executive Office of the Governor.

(14) Contracting with a certified public accountant licensed under the Public Accountancy Law of this state for an annual audit of the financial records and reports of the Legislature and delivering such audit to the President of the Senate, the Speaker of the House of Representatives, and the members of the joint committee.

(15) Entering into such other contracts as it shall deem necessary in the performance of its functions.

(16) Publishing a handbook of all policies affecting the administration of the joint committee and its divisions and the joint administration of the Legislature.

(17) Carrying on such other functions as are determined by the joint committee, with the consent of the presiding officers of both houses of the Legislature, to be joint functions.

**Joint Rule Four****Joint Legislative Auditing Committee****4.1—Responsibilities**

(1) On or before December 31 of the year following each decennial census, the Legislative Auditing Committee shall review the performance of the Auditor General and shall submit a report to the Legislature which recommends whether the Auditor General should continue to serve in office.

(2) The expenses of the members of the committee shall be approved by the chair of the committee and paid from the appropriation for legislative expense.

(3) The committee shall review the budget request submitted by the Auditor General and the Office of Program Policy Analysis and Government Accountability and may amend or change it as deemed necessary. The budget request, as amended or changed by the committee, shall become the operating budget of the Auditor General or the Office of Program Policy Analysis and Government Accountability for the ensuing fiscal year; provided that the budget so adopted may subsequently be amended under the same procedure.

(4) The committee shall submit to the Joint Legislative Management Committee, for planning purposes only, an estimate of the financial needs of the committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability.

(5) The committee may at any time, without regard to whether the Legislature is in session, take under investigation any matter within the scope of an audit either completed or then being conducted by the Auditor General or the Office of Program Policy Analysis and Government Accountability, and in connection with such investigation may exercise the powers of subpoena by law vested in a standing committee of the Legislature.

(6) The committee shall review the performance of the director of the Office of Program Policy Analysis and Government Accountability every 4 years and shall submit a report to the Legislature recommending whether the director should be reappointed. A vacancy in the office must be filled in the same manner as the original appointment.

(7) Upon completion of the initial program evaluation and justification review of each state agency listed in s. 216.0172, Florida

Statutes, the Office of Program Policy Analysis and Government Accountability shall conduct such reviews only at the direction of the Legislative Auditing Committee.

#### **4.2—Annual Audit of Financial Records**

(1) The Legislative Auditing Committee shall contract with a certified public accountant licensed under chapter 473, Florida Statutes, for an annual audit of the financial records of the Legislative Auditing Committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability.

(2) Copies of the audit shall be delivered to the President of the Senate, the Speaker of the House of Representatives, the Auditor General or the director of the Office of Program Policy Analysis and Government Accountability, as appropriate, and the members of the Legislative Auditing Committee.

### **Joint Rule Five**

#### **Auditor General**

##### **5.1—Rulemaking Authority**

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits which he or she is authorized to perform.

##### **5.2—Budget and Accounting**

(1) The Auditor General shall prepare and submit annually to the Joint Legislative Auditing Committee a proposed budget for the ensuing fiscal year. The committee shall review the budget request and may amend or change the budget request as it deems necessary. The budget request, as amended or changed by the committee, shall become the operating budget of the Auditor General for the ensuing fiscal year; provided that the budget so adopted may subsequently be amended under the same procedure.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses, except expenses of members of the Legislative Auditing Committee, before the same shall be paid.

##### **5.3—Audit Report Distribution**

(1) A copy of each audit report shall be submitted to the Governor, to the Comptroller, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) Other copies may be furnished to other persons who, as in the opinion of the Auditor General, may be directly interested in the audit or who may have some duty to perform in connection therewith.

### **Joint Rule Six**

#### **Office of Program Policy Analysis and Government Accountability**

##### **6.1—Responsibilities of the Director**

(1) The director may adopt and enforce reasonable rules necessary to facilitate the studies, reviews, and reports that the office is authorized

to perform.

(2) The director, with the consent of the Legislative Auditing Committee, may enter into contracts on behalf of the Office of Program Policy Analysis and Government Accountability.

(3) The director shall prepare and submit annually to the Legislative Auditing Committee a proposed budget for the ensuing fiscal year. The committee shall review the budget request and may amend or change the budget request as it deems necessary. The budget request shall become the operating budget of the Office of Program Policy Analysis and Government Accountability for the ensuing fiscal year; provided that the budget so adopted may subsequently be amended under the same procedure.

(4) Within the limitations of the approved operating budget, the salaries and expenses of the director and the staff of the Office of Program Policy Analysis and Government Accountability shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The director shall approve all bills for salaries and expenses before the same shall be paid.

### **Joint Rule Seven**

#### **Continuing Existence of Joint Rules**

##### **7.1—Continuing Existence of Joint Rules**

All joint rules adopted by concurrent resolution, and amendments thereto, shall continue in effect from session to session or Legislature to Legislature until repealed by concurrent resolution.

## **STANDING ORDERS**

**Prime Sponsors and Sponsors**—The sponsor of a committee substitute is the committee. The introducer of the original bill, since it is laid upon the table upon introduction of the committee substitute, has no right to move for the withdrawal of the substitute from further consideration.

For the purpose of withdrawing bills from further consideration, the first-named Member shall be regarded as the "prime sponsor" and the only Member empowered to move for the withdrawal of a bill.

In moving for the withdrawal of a bill by floor motion from further consideration, the introducer will be required to identify the nature of the bill so that the Members will not be taken by surprise.

**Distribution of Materials in Chamber; Meals in Chamber**—The following constitutes policy regarding material distributed to the general membership through the Sergeant at Arms' Office and pages.

1. All material prior to such distribution shall be approved by the Committee on Rules, Resolutions, & Ethics, acting through its Co-Chairs.

2. The following official materials have heretofore been approved and will continue to be approved: House and Senate bills, resolutions, memorials, and amendments thereto, and official calendars and journals; committee meeting notices; communications from the Speaker and Clerk and official communications from the Senate; and official staff reports of standing or select committees or of the majority or minority parties.

3. No meals will be allowed on the floor without waiver of policy by two-thirds vote. This shall not be construed to prevent serving of drinks such as juices, coffee or tea, soft drinks, milk, etc.

4. No newspapers shall be distributed or otherwise permitted in the House Chamber while the House is in session without waiver of policy by two-thirds vote. This shall not relate to personal use by an individual Member of a newspaper as resource or reference material for purposes of debate. This policy does not address itself to the transmittal of material from one Member to another on the floor of the House.